

CHILI TOWN BOARD

May 19, 2004

A meeting of the Chili Town Board was held on May 19, 2004 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/Deputy Supervisor; Richard Stowe, Counsel for the Town; Joseph Lu, Town Engineer; Joseph Carr, Commissioner of Public Works/Superintendent of Highways; Dianne O'Meara, Comptroller.

The invocation was given by Richard Brongo.

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

Supervisor Logel announced the following appointments: Historic Preservation Board Secretary and Conservation Board Secretary.

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 7:28 p.m.

TOWN BOARD COMMITTEE REPORTS/REPORTS BY COUNCIL MEMBERS:

Community Service Committee - James Powers, Michael Slattery Recreation Advisory Committee

Councilman Slattery stated at the Recreation Advisory meeting, Guy Puglia, the Acting Recreation Director, went over the Chil-E Fest information, talked about the summer playground program and the staffing and so forth. He stated they're getting ready for that to go, Chil-E Fest. He stated he thought they are excited about the Chili Avenue improvements. He stated hopefully those will be completed on time.

Councilman Slattery stated Chili Disk Golf was discussed a little bit and the Recreation Advisory Committee will be sending up some information from that committee.

Supervisor Logel asked did Mr. Puglia by any chance happen to mention anything about the rule books mentioned earlier. Councilman Slattery stated no, he does not know anything about that.

Councilman Powers stated if his memory serves him, he believes they have 67 teams on the adult softball program and the rule books are usually within the fee that they pay.

Councilman Powers stated just a follow-up to what Councilman Slattery reported on, he would say that they probably had an advisory group that was a bit shocked in regards to the correspondence from the Supervisor to Mr. Mulligan, and there will be forthcoming their thoughts on the disk golf and other ideas that they have for the use of the Baker Property.

Educational Committee - Virginia Ignatowski, Mary Sperr Library Board of Trustees Historical Preservation Board

Councilwoman Ignatowski stated they did not meet since their last meeting.

Councilwoman Sperr stated the Historical Preservation Board did hold a meeting, and at that meeting

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not a lot was discussed, but there was some dismay at the house going down as quickly as it did. She stated they were pretty sad to see the house go down, the McCullen house they were trying to save. She stated that did prompt some discussion. She stated they're planning on having Dan Kress attend one of their meetings coming up so they could set down guidelines what to do in the future should this come up again. She stated they're going to prepare themselves for that.

Councilwoman Sperr stated and they are preparing a list to send out their flyers that she mentioned at the last meeting, and if there is anyone present that does want one, they should contact Peter Widener, Chair of Historic Preservation. She stated if someone is not able to come into the Town Hall to pick one up, they will have one sent to them.

Councilwoman Sperr stated Rona Pearce has agreed to step up and she will be doing secretarial duties for the Board. Councilwoman Sperr thanked Rona Pearce for volunteering to do that for them.

Environmental Services Committee - Virginia Ignatowski, Michael Slattery **Conservation Board** **Drainage Committee**

Councilwoman Ignatowski stated the Conservation Board has not met since last time.

Councilman Slattery indicated the Drainage Committee has not met since the last time.

Public Safety Committee - James Powers, Mary Sperr **Traffic Safety Committee**

Supervisor Logel asked if Traffic Safety has met since the last meeting. Councilman Powers stated they have. He stated basically, they went over some of the ongoing projects, the Spenacchio Subdivision off Chili Avenue, and they discussed the Tim Horton's that is supposedly going into North Chili.

COUNCIL MEMBERS' REPORTS:

Councilman Powers asked if the Supervisor's secretary had the resumes that were received for the Recreation Director position. Supervisor Logel stated they were put in his box. Supervisor Logel stated they will make sure Councilman Powers gets them.

Councilman Powers asked Supervisor Logel if she had any plans as to when they might interview people. Supervisor Logel stated she would like to set them up for Saturday, June 5th, if she could. She stated they have to get past Memorial Day coming up, and then they get into graduations and all of that. She stated tomorrow she would like to try to contact some of the applicants and see.

Supervisor Logel asked the Board members, after they have read the resumes, that they would rank order their choices and e-mail her or give that information to her secretary.

Supervisor Logel apologized if Councilman Powers did not have the resumes.

Councilman Slattery stated there are some out-of-town people to be interviewed. He asked are they going to try to do a weekday at all for the in-town people. Supervisor Logel stated she thought Friday night to Saturday, the 4th and 5th, and get it out of the way. Councilman Powers stated that is good because they could take advantage of Guy Puglia's expertise before school in September.

Councilman Powers stated at a prior Board meeting he asked who was in charge when Supervisor Logel and the Deputy Supervisor were both out of Town. He stated he did not think he got an answer to that question.

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Supervisor Logel stated she really thinks that Councilman Powers is just making mountains out of mole hills. She stated she has a cell phone and lap top and she can make decisions fine, and she made them. She stated she is always in charge. Supervisor Logel stated she is entitled to a vacation just like everybody else.

Councilman Powers stated he didn't say she wasn't. He stated he just asked who was in charge while they were away. Supervisor Logel stated Dick Brongo was within driving distance. Councilman Powers stated a lot can happen in three hours. Supervisor Logel stated she could have flown home quickly, too, from her vacation.

Councilman Powers stated at the last Board meeting Supervisor Logel stated she was continuing to draft the request for proposal in regards to what the State finds. He asked if she read the Gates-Chili Post a week ago. He stated it wasn't too clear as to just which direction they are going.

Supervisor Logel stated she can't do anything until the audit is done. She stated the auditors started two days ago here. She stated they anticipate being here approximately one month. She stated they are doing a more in-depth risk analysis, and depending on the outcome of that, they will either decide that they want to do a full audit. She stated if they decide they're going to do a full audit, it would be redundant and a waste of taxpayers' dollars for her to do an RFP and hire someone. She stated so right now she is sitting until she knows what the State is going to do. She stated she has met with the auditors and they have assured her they will let her know what direction they are going in; as soon as they know, then she will know.

Councilwoman Sperr stated several people brought up in the public forum tonight comments about her attending the Zoning Board meeting. She stated as an elected official, they are encouraged to attend Town meetings of any board. She stated there is not an official liaison appointed to the Zoning Board, but the reason she was there last night was when the Town Board, back in November, voted for that PNOD, she had told the people who were at that meeting that she would promise to follow along with the discussions on that. She stated so she went to that meeting last night to sit and listen to what happened.

Councilwoman Sperr stated she was sitting about three rows back from the board and Mrs. Lyle didn't realize that her voice was carrying. Councilwoman Sperr stated several people mentioned tonight that she was speaking quietly. Councilwoman Sperr stated she just went and asked Ms. Lyle to keep her voice down. She stated she was thanked after the meeting by the stenographer who they were standing right directly behind, and by a Board member who could not hear. Councilwoman Sperr stated there was no attempt to interfere at that meeting at all.

Councilwoman Sperr stated if she is seen in casual conversation, it should not be interpreted she is interfering in the process.

Councilwoman Sperr stated they tried to reach the attorney last night, but were not able to get through to him by phone.

MATTERS OF THE SUPERVISOR

Supervisor Logel stated the Town Board members have all been invited to attend the Gates-Chili High School Prime Time event which starts at midnight and ends at 4 a.m. She stated they are all kind of joking about the fact that they are not sure they are up to being up at that hour of the evening.

Supervisor Logel stated there is going to be a closing of West Side Drive between Coldwater Road and Whittier Road for the railroad crossing there, at the end of Coldwater where the stop sign is, from 7 a.m. on June 1st, to 7 p.m. on June 4th for railroad repair. She stated that is going to be a three-day, almost four-day window that people are going to need to go around there for them to do the repairs they need. She stated the detour will be Coldwater Road, to Buffalo Road, to Whittier Road. She

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stated she realizes it is going to be a major inconvenience, but they have received the official notification of the road closing from the Monroe County Department of Transportation, and it needs to be done, so they have notified the Town, the police, the sheriffs, the schools, the fire departments.

Councilwoman Sperr stated the Gates-Chili Chamber of Commerce 35th Anniversary Awards Banquet was held on Monday night, and Supervisor Logel and the Supervisor from Gates presented awards. Councilwoman Sperr stated Supervisor Logel presented a Chili beautification award to Mark IV Construction, and Ralph Esposito presented his Gates beautification award to Chili Hinchey Associates. Councilwoman Sperr stated one of the most special awards Monday night was presented by Don Faso, a special recognition award for Carol O'Connor, honoring Carol for all her efforts she had done over the many, many years she was a public servant to their Town of Chili.

Councilwoman Sperr stated every year, twice a year, they do plantings and weeding and things out in front of the Town Hall facility here, at the senior center, the sign locations and the highway garage. She stated they will be doing planting tomorrow morning at 9 a.m. around those facilities. She stated there will be volunteers from the Town, and members of the Hubbard Springs Garden Club. She stated if anyone is apt to want to get their hands dirty and bring a trowel, they will be out front for about three hours. She stated Joe Carr has his guys ready to go to help them put down mulch, too. She stated they always appreciate Joe Carr's and Larry's help to get this done. She stated it saves the Town a lot of money.

Councilman Powers asked Supervisor Logel isn't there a birthday coming up for St. Pius. Supervisor Logel stated this summer, yes. She stated they have asked her to write a letter that she will be doing. Supervisor Logel stated she has to talk to the lady in the Library whose mother is running it for St. Pius.

The 4/30/04 Town Board minutes were approved as submitted.

REPORTS SUBMITTED:

Planning Board - April 13, 2004
Traffic and Safety Committee - April 1, 2004
Historic Preservation Board - April 12, 2004
Drainage Committee - March 2, 2004
Library Board of Trustees - April 27, 2004
Recreation Advisory Committee- March 10, 2004
Monthly Comptroller's Report - April 4, 2004
Senior Center Revenue Report - 04/01/04-04/30/04
Community Center Revenue Report - 04/01/04-04/30/04
Recreation Revenue Report - 04/01/04-04/30/04
Town Clerk Report - April 2004

CORRESPONDENCE:

1. Letter dated May 12, 2004 from Richard J. Brongo, Town Clerk, notifying the Town Board that formal notification was received from AMF Bowling Centers, Inc. of their intent to renew the Tavern Wine License #3108577, with the State Liquor Authority, for Olympic Lanes located at 1350 Scottsville Road, Rochester NY 14624.

OLD BUSINESS:

Supervisor Logel stated in answer to a few questions brought up, the agendas should have been on line. She stated planning and zoning agendas should have been on line. She stated the Town Board agenda, there were a couple changes and they were still working on it at the last minute. She stated she hates like heck to put out agendas and have people come in with that agenda and then say whoops, it is wrong. She stated right up until even today, there was still a correction on the abstracts at like 3 o'clock this afternoon. She stated unfortunately, that is going to happen, but they try to stall as long as they can

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to make sure they have everything right.

Supervisor Logel stated she could put the Town Board agendas on line just so long as no one holds it to the letter of the law if they make a change between Monday and Wednesday on the agendas.

Supervisor Logel stated as far as Mr. O'Toole not being at the Zoning Board meeting last night, she could not answer that question. She stated that is something they need to look into, because she has no idea what happened.

Richard Stowe stated he spoke with Keith O'Toole, and as far as the rescheduling of the meeting is concerned, he, Mr. O'Toole and Mr. Brongo were going to get together with Beverly (Griebel) to make sure that the Zoning Board's wishes and legal requirements for any rescheduled meetings are met. He stated there was an attempt to contact him and he was not near a phone last night. He stated there were attempts to contact Keith O'Toole, as well, and they were unsuccessful. He stated he wasn't near a phone either.

Richard Stowe stated there was no intention to simply not show up at a meeting where he was supposed to show up. He stated there was a rescheduling issue with that meeting due to the Board of Assessment Review meeting next Tuesday. He stated that meeting was changed from its normal fourth Tuesday of the month, to last night because next Tuesday is Grievance Day. He stated the normal Zoning Board meeting was moved to last night, and that fact accounts for the failure of Mr. O'Toole being there last night.

Supervisor Logel stated they had serious communication breakdown obviously there.

Richard Stowe stated it is not to excuse it. He stated he was not trying to make light of it. He stated he was not trying to discuss it. He stated he is only trying to explain it. He stated there were some comments made that it was somehow intentional, and it was anything but. He stated they will do what they can do to rectify it.

RESOLUTION #208 RE: World War II Veterans Recognition Day

Offered by: Supervisor Logel

**Seconded by: Council Members
Slattery, Powers, Sperr
and Ignatowski**

WHEREAS, on December 7, 1941, the largest war of all time and the most defining event of the 20th century began; and

WHEREAS, Americans, devoted to liberty and to this country courageously answered the nation's call to arms summarized by President Franklin D. Roosevelt by the words:

"You bear with you the hope, the confidence, the gratitude and the prayers of your family, your fellow-citizens and your President:" and,

WHEREAS, we still believe today that the blessings of liberty require constant vigilance and sacrifice; and,

WHEREAS, every man, woman and child in this great Nation owes a debt of gratitude to those who served their country so selflessly in an event that reshaped the world; and

WHEREAS, these brave soldiers, sailors, Marines, Coast Guardsmen and airmen, were the beloved sons and daughters of our land; and

WHEREAS, more than 400,000 Americans made the supreme sacrifice, laying down their lives so

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others could live free;

NOW, THEREFORE, BE IT RESOLVED, that May 29, 2994, as the National World War II Memorial is dedicated in our nation's capital, we declare this day World War II Veterans Recognition in our community; and

BE IT FURTHER RESOLVED that all citizens are asked to celebrate the contributions and sacrifices of those men and women who placed their lives in harms way protecting American values and preserving democracy for the world; and

BE IT FINALLY RESOLVED, the observances of World War II Veterans Recognition Day appropriately commemorate the historical events and express gratitude to those who gave so much for their fellow citizens.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Chili officially recognizes the 29th day of May, 2004 as World War II Veterans Recognition Day and we thank our veterans for their sacrifices in preserving our freedoms.

UNANIMOUSLY APPROVED

**RESOLUTION # 209 RE: Setting a Public Hearing for Bellaqua Estates Subdivision
Lighting District**

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that a Public Hearing be set for June 16, 2004, to consider the establishment of the Bellaqua Estates Subdivision Lighting District located at 159 Chili Scottsville Road, Rochester, NY 14624. Tax ID #158.02-1-8. A member of Bellaqua Estates is requesting this application. The Applicant has paid the required fee.

UNANIMOUSLY APPROVED

**RESOLUTION # 210 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 16, 2004, to consider an extension to the Chili Consolidated Drainage District to serve the Maple Hollow Subdivision located at 30 Dallas Drive, Rochester, NY, 14624. Tax ID #134.17-01-013.000. Daniel Hendricks, District Clerk for the Gates Chili Central School District, is requesting this application. The required fee has been paid.

UNANIMOUSLY APPROVED

**RESOLUTION # 211 RE: Appointment of Secretary to Historic Preservation
Board**

Offered by: Councilwoman Sperr

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that Rona Pearce shall assume the responsibilities of Secretary of the Historic Preservation Board effective this day May 19, 2004 and shall be paid in addition to her regular board

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member stipend an additional 15 dollars per meeting attended for the calendar year 2004; expenses to be paid by voucher as incurred.

UNANIMOUSLY APPROVED

RESOLUTION # 212 RE: Appointment of Secretary to Conservation Board

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Powers

BE IT RESOLVED that Kristy Kretser shall be appointed as the Secretary of the Conservation Board effective this day May 19, 2004 and shall be paid at the rate of \$35 per meeting attended for the calendar year 2004; expenses to be paid by voucher as incurred.

UNANIMOUSLY APPROVED

RESOLUTION # 213 RE: College Greene PILOT Agreement Dated October 21, 1992

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

WHEREAS, the Town of Chili has a PILOT agreement with the partnership College Greene Rental Associates, L.P. ("Partnership"); and

WHEREAS, Home Properties L.P., the current general partner of the Partnership intends to sell its general partnership interest to Silver College Greene LLC; and

WHEREAS, College Greene Residences, Inc. (Roberts Wesleyan) is withdrawing as a general partner; and

WHEREAS, Article V of the NYS Housing Finance Law requires municipal consent prior to filing the certificate reflecting the changes in general partners;

NOW, THEREFORE, BE IT RESOLVED, Supervisor Logel is authorized to execute the consent to the filing of the certificate.

UNANIMOUSLY APPROVED

RESOLUTION # 214 RE: Addition to Clifton Fire Department, Inc. Active List

Offered by: Councilwoman Sperr

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that Troy Hoita of 847 Hosmer Road, Churchville, NY 14428 be added to the Clifton Fire Department, Inc. Active List effective April 14, 2004.

UNANIMOUSLY APPROVED

RESOLUTION # 215 RE: For Park Place Section 3

Offered by: Councilman Slattery

Seconded by: Councilwoman Sperr

BE IT RESOLVED that per recommendation of the Town Engineer, \$32,863.72 be released from the letter of credit with Canandaigua National (#1101968477) for Park Place Section 3, leaving a

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balance of \$89,229.12; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

RESOLUTION # 216 RE: For Park Place Section 4

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that per recommendation of the Town Engineer, \$41,183.76 be released from the letter of credit with Canandaigua National (#1101943679) for Park Place Section 4, leaving a balance of \$115,720.14; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

RESOLUTION # 217 RE: For Park Place Section 5

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

BE IT RESOLVED that per recommendation of the Town Engineer, \$143,359.19 be released from the letter of credit with Canandaigua National (#1101943733) for Park Place Section 5, leaving a balance of \$282,374.13; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

RESOLUTION # 218 RE: Recreation Summer Employment

Offered by: Councilman Slattery

Seconded by: Councilman Powers

BE IT RESOLVED that per recommendation of Guy Puglia, Temporary Acting Recreation Director, that after concluding the interviewing process, the following people be hired for summer employment:

Temporary Acting Playground Leader (\$12.75/hour)

Katie Brown

Temporary Acting Assistant Playground Leader (\$12.00/hour)

Sara Carman

Seasonal Attendants - Leaders (\$7.00/hour)

Katie Stenshorn

Joanna Cocuzzi

Keri Sextone

Lauren Willer

Kara Saile

James Zehr

Kyle Gutowski

Candice Smith

Tennis Head Instructors (\$7.00/hour)

Mike Kelly, Sr.

Michael Hickey

Seasonal Attendants - Assistants (\$6.00/hour)

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Melissa Provenzano
Liz Femia
Nick Vitale
Rachel Kowalski
Tim Weirden
Jen Scribani
Megan Saile
Martha Bauer
Sadie Bauer
Sarah Popowych
Mike Vitale
Colin Dooling
Ryan Dooling
Jennifer Walker
Mandy Driessler
Melissa Ozarski
Stephanie Seccombe

UNANIMOUSLY APPROVED

RESOLUTION # 219 RE: Parklands at Chili Special Light District

Offered by: Councilman Slattery

Seconded by: Councilman Powers

WHEREAS, RG&E has not billed the Town of Chili for the Parklands at Chili Special Light District since July 2002; and

WHEREAS, the light district has a surplus for the 2003 tax levy;

NOW, THEREFORE, BE IT RESOLVED to increase the budget for SL-320-5182.4 (Parklands at Chili Special Light District) by \$1,455 from the district un-appropriated surplus.

UNANIMOUSLY APPROVED

RESOLUTION # 220 RE: 5/19/04 Abstract

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED to pay vouchers 2278-2505 totaling \$236,964.16 to be paid from the Distribution Account as reviewed and audited by Dianne O'Meara, Comptroller:

General Fund	\$ 61,659.60
Highway Fund	\$ 34,103.86
Library Fund	\$ 477.00
H35 Chili Avenue D01781	\$103,561.16
Consolidated Drainage	\$ 1,235.56
Chili Fire Protection District	\$ 24,130.07
Special Light Districts	<u>\$ 11,796.91</u>

Total \$236,964.16

UNANIMOUSLY APPROVED

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Supervisor Logel stated someone brought up the question about the Baker Property and the septic system. She stated she checked, and yes, the pipe between the house and the septic tank was repaired, and, yes, the septic tank was pumped out, but the pipe between the septic tank and the distribution box is plugged. She stated it will not clean out. She stated it cannot be cleaned out. She stated and the other fact is the leech field is gone. She stated it is located under the parking lot. She stated it would cost thousands and thousands of dollars to repair it, and she just doesn't feel at this time that this is a high priority.

Supervisor Logel stated that was one of the reasons why her letter was in the paper saying they will use it as a casual play disk golf course or however they want to use that property. She stated the Recreation Committee is still charged with studying the use of Baker and Stryker. She stated that was never taken away from them. She stated her decision was that there would not be any tournament play at that place, nor would there be any group coming there and collecting monies, because they, under ADA, are in total violation if they open that to the public for anything more than casual, under the Health Department, if they have it there without any septic or any kind of facility, bathroom facilities. She stated so it can be used the same way they use the nature trails like up behind the apartments or the way they use Black Creek Park. She stated people can go and use it for casual play, but they cannot host anything that is going to have a large number of people there.

Supervisor Logel stated it is strictly a protection, sanitary protection and to also avoid bringing any lawsuit on their head for ADA inadequate facilities.

The next meeting of the Chili Town Board is scheduled for Wednesday, June 16, 2004 at 7:00 p.m. at the Chili Town Hall meeting room.

The meeting was adjourned at 8:09 p.m.