

CHILI TOWN BOARD
May 19, 2010

A meeting of the Chili Town Board was held on May 19, 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, Building Department Representative; 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.

SUPERVISOR DUNNING: I would like to welcome -- it looks like we have some students with us this evening. Hopefully this will be a short meeting for you. Enjoy. Have fun.

If you need your papers signed, please step up to dais after the meeting. We'll be more than happy to sign them.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speaker addressed the Town Board on various subjects: Dorothy Borgus. The Public Forum concluded at 7:09 p.m.

SUPERVISOR DUNNING: Just quickly, I can address one of the issues you brought up, Dorothy (Borgus). Ironically enough, tomorrow night we have a joint Boards and Committee Meeting right here in this room, so I will bring up those two points.

I understand the mikes are being pushed away on a couple occasions. I was not aware the overhead wasn't being used. I believe it is still working. I don't know why that may have not been used, but I will bring it up at tomorrow night's meeting.

COUNCILWOMAN SPERR: Is it possible they have to get information downloaded in order to use it and if they're --

SUPERVISOR DUNNING: No.

COUNCILWOMAN SPERR: They should be able to walk up and put the documents on?

SUPERVISOR DUNNING: Yes. It is like an old-fashioned overhead projector, so they could lay the documents there and it would be projected.

COUNCILWOMAN IGNATOWSKI: Supervisor, at Planning Board they have a -- a lot of the large sheet plans, and I wonder if they move the mike up because they're moving the paper back and forth like that and they're afraid they will hit the mike.

SUPERVISOR DUNNING: I believe there are some cases where that does happen. But we can turn the ganging up on these microphones, too, so even when they're up, I believe they can be heard.

COUNCILWOMAN DI FLORIO: But just a reminder if they're going to speak --

SUPERVISOR DUNNING: It is a matter we'll bring up tomorrow night at the meeting. I made a note of it and we'll talk about it tomorrow.

MATTERS OF THE SUPERVISOR:

SUPERVISOR DUNNING: Under Matters of the Supervisor, I just wanted to mention again, we are going to have a Flag Day celebration out at the Cobblestone School house that will be on June 12th. I believe that is at 10:30 in the morning?

COUNCILWOMAN SPERR: 10 a.m. is the ceremony. It's a Saturday.

SUPERVISOR DUNNING: I want to thank Councilwoman Sperr, as well as our Historian, Bonnie Moore, and Chair of the Historic Preservation Board that have done a great job putting this all together for us. It is coming together very nicely.

Also we did have to move the ribbon cutting ceremony for Widener Park, and that has been moved to June 15th due to a bunch of conflicts for a lot of the people that we really would like to be able to attend this ceremony.

I would also just like to bring up an -- and bring you up to date on Names Road property. I know we passed a resolution for the demolition of that property. There was a time frame that we had to go through, or waiting period we had to go through in order to move forward. That waiting period, as I understand it, surpassed on last Thursday, I believe it was.

Mr. Lindsay is working with some people at the County. We are asking the County to help out a little bit with the demolition, wherever they can, to see if we can save some costs, so we will -- I believe Mr. Lindsay is meeting with them next week, so hopefully sometime soon we'll see something happening there.

Is that the pretty accurate, David (Lindsay), as to what you know so far?

DAVID LINDSAY: Yes. I will be meeting with the County, I believe, next Tuesday to discuss the scope of work and who will be doing what, what the partnership will be.

One of the first things we need to do is asbestos assessment of the building and then removing of -- any of that material before the actual demo.

1. Vacancies on Special Police.

SUPERVISOR DUNNING: Okay. Other than that, we do have vacancies still on the Special Police.

2. Training Policy.

SUPERVISOR DUNNING: And the training policy is now -- that was developed, gone through, and amended a couple of times. It has been posted -- it will be posted on the Town bulletin boards. It has to be posted for 30 days.

After the expiration of that date, then I will bring it up for resolution for adoption. So that is currently posted.

MATTERS OF THE TOWN COUNCIL:

COUNCILWOMAN SPERR: I do have one thing. At our last Traffic Safety meeting, there was a very large discussion which ensued regarding speeding in a lot of the neighborhoods across Town.

And my -- I also asked our Supervisor if he would highlight this topic in a column that he puts in the newspaper, asking the residents to slow down within their own neighborhoods. The weather is nice, the children are out playing and many people have the perception that people are going 60 and 70 miles an hour in their neighborhoods. While they may not be going that fast, if you're going 40 in a residential neighborhood, you're speeding.

So the Sheriff's Department is also stepping up patrols in some of the neighborhoods.

So I just wanted to bring to everyone's attention, again, ask people to be more careful in the neighborhoods.

And I will get you some details so you can highlight that in one of your articles.

REPORTS SUBMITTED:

Recreation Center Revenue Report -- April 2010

Senior Center Revenue Report -- April 2010

Planning Board Minutes -- April 13, 2010

Recreation Committee Minutes -- 4/14/2010

CORRESPONDENCE:

1. Mr. Brongo has received formal resignation from Robert Springer, Recreation Advisory Committee, effective immediately.
2. Letter requesting the rezoning of 3763 and 3765 Chili Avenue and 2 Willowbend Drive.

RESOLUTION # 196 RE: Entertainment Chil-E-Fest

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with "Uncle Plum" to provide musical entertainment at the 2010 Chil-E Festival for \$2000.00, to be paid from account A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with "AKA the Blues" to provide musical entertainment at the 2010 Chil-E Festival for \$400.00, to be paid from account A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with "Gordon Munding" to provide musical entertainment at the 2010 Chil-E Festival for \$300.00, to be paid from account A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with "Table Top Three" to provide musical entertainment at the 2010 Chil-E Festival for \$300.00, to be paid from account A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with "Smalltown" to provide musical entertainment at the 2010 Chil-E Festival for \$500.00, to be paid from account A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with "J.B. and Company" to provide musical entertainment at the 2010 Chil-E Festival for \$800.00, to be paid from account A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with "The Boomerang Club" to provide children's entertainment at the 2010 Chil-E Festival for \$700.00, to be paid from account A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with "The Dinner Dogs" to provide children's entertainment at the 2010 Chil-E Festival for \$500.00, to be paid from account A7550.4. (Celebrations).

UNANIMOUSLY APPROVED

RESOLUTION #197 RE: CHIL-E FEST INFLATABLE RIDES

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with "Blue Apple Productions" to provide Inflatable Rides for the 2010 Chil-E Festival for \$925.00, to be paid from account A7550.4. (Celebrations).

UNANIMOUSLY APPROVED

RESOLUTION # 198 RE: Summer Outdoor Movies

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Slattery

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign an agreement with Blue Apple Productions to provide six outdoor movies for the 2010 Summer Movies Series in Davis Park at no cost to the Town of Chili.

UNANIMOUSLY APPROVED

RESOLUTION #199 RE: Letter of Credit Release Park Place, Sections 9 & 10 Release No. 5 FINAL

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio

BE IT RESOLVED that per recommendation of the Town Engineer, \$29,059.33 be released from the Letter of Credit with Canandaigua National Bank (#1103104720) for Park Place Sections 9 & 10, leaving a balance of \$0.00; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

RESOLUTION #200 RE: Disposition of Telephone and Computer Equipment

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

WHEREAS, the Director of Management Information Services recommends the Town of Chili dispose of obsolete telephone equipment, computers, and peripherals; and

WHEREAS, telephone equipment, obsolete computers and peripherals is defined as: Equipment that has lived past its useful life with the Town; or equipment that is broken in which case it would be fiscally irresponsible to pay for its repair; and

WHEREAS, the Director of Management Information Services has provided an inventory of such IT equipment; and

NOW, THEREFORE, BE IT RESOLVED, that said itemized equipment is hereby declared to be surplus equipment; and

BE IT FURTHER RESOLVED, to dispose of said equipment for its highest best use.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Supervisor, do we have -- do we know when this will begin and when it will be completed by? Not at this point. I don't have it.

Do you have a schedule for that, David (Lindsay)?

DAVID LINDSAY: Just a rough schedule. It will begin pretty quickly. We'll send out the notice of award tomorrow, sign the contracts, as soon as possible, hopefully by the end of next week, and they will get started shortly thereafter with a completion date at the end of July. 60 days is, I believe, what we have in the contract, so.

COUNCILMAN SLATTERY: Beautiful.

RESOLUTION #201 RE: Award Bid -- Davis Park Restroom ADA Upgrades

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Ignatowski

WHEREAS, bids for the completion of ADA Upgrades to the Davis Park pavilion restrooms were received by the Town Clerk on April 7, 2010 as follows:

Bidder	Bid Amount
Wyco Mechanical, LLC	\$73,990
Betacon Construction, Inc.	\$76,950
Spampinato Mech. Contractors	\$89,750
Jade Enterprises of Rochester	\$89,900
Whitney East, Inc.	\$91,195
Tower Construction	\$97,150
Quinlan Ferrara Electric Inc.	\$102,300
Gonyo Construction, Inc.	\$119,641

The Town Engineer has reviewed the bids and the qualifications of the low bidder, and has found no reason to not accept the low bid.

NOW, THEREFORE, BE IT RESOLVED, per the recommendation of David P. Lindsay, P.E, Commissioner of Public Works, to award the Davis Park Bathroom ADA Upgrade bid to Wyco Mechanical at a cost of \$73,990 to be paid from account H49 Davis Park ADA Restrooms; and

BE IT FURTHER RESOLVED, to establish the following budget:

H49 - 1620.2 Buildings - Equipment	\$90,000
H49 - 2089 CDBG Grant	\$35,000
H49 - 5031 Interfund Transfer	\$55,000
Revenues	\$90,000

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I wanted to comment on this because we'll see a couple Public Hearings come up -- especially the next one is more -- or the next one.

But one of the things is we have been reviewing some of the Town Code, going through many aspects of the Town Code. We saw some areas that were in need of some updating. Um, so some of the things -- I know that the Zoning Board has struggled with from time to time is our monument signs and signage in places, so we're looking at kind of cleaning up that code. We're looking at some of what has been approved in the -- this law will address some of what has been previously approved in a Neighborhood Business, General Business zones, and I believe PNOD and a couple other areas that we're looking at here to just make sure that we have the appropriate zoning or appropriate type of businesses.

For example, one of the things that we moved -- or recommended by this Local Law adoption is moving grocery store out of Neighborhood Business and actually puts its into General Business. Today's grocery stores are a little intense for a Neighborhood Business operation today, so we -- so we have moved that.

One of the other things that -- drugstore was in there. As today's drug stores go, they tend to be very large, a little overwhelming, a little inappropriate for Neighborhood Business. However, this law introduces concessions for a true neighborhood pharmacy, and limits the space and amount of type of business activities that go on there, so it can't be grocery items.

It should be what a -- well, you guys wouldn't know what it was, but what a pharmacy used

to be a long time ago. Dorothy (Borgus) remembers what a pharmacy used to be a long time ago. So it is just some of the things in this particular law that will get cleaned up.

COUNCILWOMAN SPERR: The next one down --

SUPERVISOR DUNNING: But this had to do with the Neighborhood Business, so I thought I would bring it up because there are some rezoning issues, too.

COUNCILWOMAN SPERR: I just thought for the benefit of the students in the audience, you might want to expand a little on what some of these abbreviations are. I know Neighborhood Business, but --

SUPERVISOR DUNNING: FPO, I believe, is Flood Plain Overlay and Neighborhood -- NB is Neighborhood Business.

COUNCILWOMAN SPERR: I always forget the FPO. Maybe I should have just said for my own clarification.

COUNCILMAN SLATTERY: Was that for the audience or for you, Mary (Sperr)?
(Laughter.)

RESOLUTION #202 RE: Set Public Hearing for July 14, 2010 at 7:00 p.m. to Consider Rezoning of 3763 & 3765 Chili Avenue and 2 Willowbend Drive from R-1-15 & FPO to NB & FPO

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio

WHEREAS, the Planning Board at their May 11, 2010 meeting recommended that the applicant petition the Town Board to rezone the properties located at 3763 & 3765 Chili Avenue and 2 Willowbend Drive from R-1-15 & FPO to Neighborhood Business & FPO; and

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

BE IT FURTHER RESOLVED, that a Public Hearing be set for July 14, 2010 at 7:00 p. M. At the Town Hall Main Meeting Room, 3333 Chili Avenue to consider the rezoning application for the parcels located at 3763 & 3765 Chili Avenue, Tax ID# 158.05-1-7.2 & 158.05-1-2 and 2 Willowbend Drive Tax, ID# 158.05-1-7.111 from R-1-15 & FPO to NB & FPO.

UNANIMOUSLY APPROVED

RESOLUTION #203 RE: Set Public Hearing for July 14, 2010 at 7:00 p.m. Amending Zoning Local Law

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that a Public Hearing be set for July 14, 2010 at 7:00 p.m. at the Town Hall Main Meeting Room, 3333 Chili Avenue to consider the adoption of introductory Local Law # ___ of 2010 entitled "a local law providing for amendments to certain development standards under the Town of Chili Zoning Local Law of 1981 which amends the Code of the Town of Chili as it relates to certain permitted uses and development standards within the Town of Chili.

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

UNANIMOUSLY APPROVED

COUNCILWOMAN SPERR: The documents that we're going to look at for the Local Law, those are going to be posted? Does that have to be posted for 30 days similar to the other?

SUPERVISOR DUNNING: Yes. Those are available. All of these are available at the Town Clerk's Office, yes.

RESOLUTION #204 RE: Set Public Hearing to consider adoption of Local Law # ___ of 2010 amending The Code of the Town of Chili Chapter 110 Department of Public Works to Create the Office of Deputy Commissioner

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DiFlorio

WHEREAS, a Local law to amend the town code Chapter 110 to create office of Deputy Commissioner of Public Works has been advanced; and

NOW, THEREFORE, BE IT RESOLVED, that Local Law # ___ of 2010 of the Town of Chili entitled a Local law to amend The Code of the Town of Chili Chapter 110 Department of Public Works to Create the Office of Deputy Commissioner is hereby introduced; and

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

BE IT FURTHER RESOLVED, that a Public Hearing is hereby scheduled for July 14, 2010 at 7:00 p.m. at the Town Hall Main Meeting Room, 3333 Chili Avenue to consider the adoption of Local Law # ___ of 2010.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: Recreation Committee's loss is going to be the Zoning Board's gain. Very impressed with him on the Recreation Committee. I think he will serve in this capacity very well.

SUPERVISOR DUNNING: He has promised he will stay with the Farmers' Market.

COUNCILWOMAN SPERR: That was the only fear I had, too. He does a great job.

RESOLUTION #205 RE: Zoning Board

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that Robert Springer be appointed to the Zoning Board to complete the term of David Cross, term to expire 12/31/2015 and shall be paid the sum of \$71 per meeting attended for the calendar year 2010; expenses to be paid by voucher as incurred.

UNANIMOUSLY APPROVED

RESOLUTION #206 RE: May 19, 2010 Abstract

OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED to pay vouchers 1722-1870 totaling \$101,104.71 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund	\$ 73,120.69
Highway Fund	\$ 15,094.65
Consolidated Drainage	\$ 1,579.96
Lexington Park	\$ 34.99
Street Light Districts	\$ 11,274.42
TOTAL	\$101,104.71

UNANIMOUSLY APPROVED

Supervisor Dunning made a motion to go into Executive Session to discuss a personnel matter, and Councilman Slattery seconded the motion. The Board was unanimously in favor of the motion. Supervisor Dunning stated the Town Board would not conduct any business upon returning from Executive Session.

The Town Board went into Executive Session at 7:22 p.m.
The Town Board returned from Executive Session at 7:53 p.m.

The next meeting of the Chili Town Board will be Wednesday, June 2, 2010 at 7:00 p.m. at the Chili Town Hall main meeting room.

The Town Board meeting was adjourned at 7:53 p.m.