

CHILI TOWN BOARD  
June 19, 2012

A meeting of the Chili Town Board was held on June 19, 2012 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:** Councilman Brown, Councilwoman DiFlorio; Councilman Slattery, Councilwoman Sperr and Supervisor David Dunning.

**ALSO PRESENT:** Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; Virginia Ignatowski, Town Clerk; Daniel Knapp, Director of Finance; Ken Kraus, Deputy Town Supervisor; David Lindsay, Commissioner of Public Works/Highway Superintendent and Building Department Representative; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Virginia Ignatowski.

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

**PRESENTATIONS/ANNOUNCEMENTS:**

1. Heritage Christian Services – Ronald Little

**SUPERVISOR DUNNING:** This evening we do have one presentation. This presentation is a little different from some of the presentations we have done in the past. Um, this presentation is about a group home that would like to establish over at -- I'm trying to remember the exact address now. Well, we'll get that in a second. I know I have it in my notes somewhere. Over at 3897 Chili Avenue.

And I know that -- these type -- the purpose of doing this type of a presentation is to let anybody that may be -- have some questions about what this group home is, what the agency is all about, Heritage Christian Services and what some of the neighbors might be able to expect. Typically in a presentation, there is not a lot of conversation that goes on. We get a presentation. The Board asks questions and we move on from there.

This we will do a little bit differently because I'm assuming we'll have some members of the -- some residents of the area that may want to ask a few questions. We are going to allow that with the expectation that you will remain respectful and the questions will be pointed for any direct concerns you have.

I know having dealt with Heritage Christian Services myself over the years they're a wonderful agency, very highly respected in our community. They do have other group homes here and they are run very, very well. So with that, I'm going to actually introduce Ron Little from Heritage Christian Services to talk a little bit.

If you would, Ron (Little) -- the podium is over there and it is miked, so if you would step up there and tell us a little about Heritage Christian, this group home and what we can expect from this particular --

**MR. LITTLE:** I'm Ron Little with Heritage Christian Services, and thank you very much for the opportunity to come present our proposal for the home.

With me tonight is Drew Bielemeier, Senior Vice President of Operations. He will give you a little history of Heritage, the proposal, what is going on with the home. We know the most important things are the questions that the Town Council or neighbors may have.

Drew (Bielemeier) will give a brief presentation and we'll go into questions. How does that sound?

**SUPERVISOR DUNNING:** That sounds wonderful.

**MR. BIELEMEIER:** Good evening. Thanks for coming out, everybody. Just real quickly, a little brief history on Heritage Christian. We were started by family members who were looking for a home for their children to live as they went into the adulthood part of their lives.

1980 the vision started. 1984 was our first home, and those children moved into that home. Since then, fast forward today we're now operating over 70 homes but with that same vision, that people get to choose who they live with. But they live in a home that resembles a family like you and I, but that home is important in their community and in their neighborhoods. It is important to be a good neighbor. It's important to be a valued member of the community. It is important for those individuals to have those relationships and feel a part of the community and to help that happen, we know that there are expectations and standards that we try to uphold to.

Within that, there are staff that support these individuals to be as independent as they can be in their life and to enjoy a quality of life you or I may enjoy.

The staff are 24 hours a day, 7 days a week for this particular proposal and this program, our staff are vetted through a finger-printed system. There are background checks. There are training and education for each one of our programs. When we introduce a new home to any

community, we bring over our experienced talented staff already who have been used to doing this, so it will be an experienced manager and some experienced staff coming over to make sure the transition for the home went well.

We get to know the individuals, their family really well to help with that transition where they're living today to a new home and a new community.

We're very conscientious of little things you would expect of any neighbor. You know, what is the noise? Of course, we know what is the traffic pattern, how many people will be parking there. Are they going to be respectful of taking out the garbage, bringing in the garbage, those little things. We stay attuned to that. I can't tell you that we're all perfect, but I can tell we want to be a good neighbor so you have anybody to call at all times.

We make the manager of the site known to the neighbors so if there is a challenge, the neighbors can come forward, or if they just want to get to meet people and develop relationships and friendships, we would love that. Even if that doesn't get settled, you know, we have myself and others you can turn to and say, "Here is a concern that I have," and we want to work with you to rectify those concerns.

Again, our premise is really how do we help individuals with disabilities. It is not truly a disability thing. It's a human thing. How do we get all along? How do we appreciate our relationships? How do help fulfill a sense of community? And to do so means we have to help people understand those with disabilities. We have to help them understand what the person is like. We have to create an environment to introduce and create those relationships and break down any fears and any barriers, any preconceived conceptions and be the bridge.

That is really the role we try to play at Heritage, to make sure that we exercise ourself with excellence to be that bridge of relationships for the individuals that we're supporting.

I know it's real brief, but as Ron (Little) said, I would really like to open up to questions. We're happy to answer any questions.

SUPERVISOR DUNNING: Can you -- can you just identify your name and address, please for the record?

BOB SCHWERTFEGER

MR. SCHWERTFEGER: Bob Schwertfeger and my wife, Sue. We are two houses from there on the same side of the street, 3901.

SUPERVISOR DUNNING: Thank you.

MR. SCHWERTFEGER: What kind of disabilities are we talking? Physical, mental? And what is the age level of the people that are going to be there?

MR. BIELEMEIER: Good question. Without being able to go into specific detail --

MR. SCHWERTFEGER: Rough estimate.

MR. BIELEMEIER: The individuals living that there all have intellectual disabilities or developmental disabilities, okay? These four people that would be moving here right now do not have any current physical disability that would be visible to you. They wouldn't be utilizing a wheelchair. I can't speak for tomorrow as aging and other things like that.

And the age groups, three of the individuals are in their 30s and one individual is in his late 40s. Can I -- one point on that, too, just so you know. The individuals that would be living here already know each other, so they're not unfamiliar with each other and are just going to be moving into this home and getting to know each other for the first time. They already know each other.

SUE SCHWERTFEGER

MS. SCHWERTFEGER: Well, my -- my concern is the traffic there. Are these people capable to go out and walk down to the corner? I wouldn't think so. I walk that road every day up to Whispering Winds to do my walk and I'm very careful of the traffic. That -- that is one of my concerns.

MR. BIELEMEIER: Yes. I appreciate that. Safety is certainly a concern of ours, as well.

MS. SCHWERTFEGER: Would they be out walking by themselves on that road?

MR. BIELEMEIER: Not in the beginning. And I will qualify that. Um, we try to give everybody the same type of independence that you or I have, but of course, we're going to start with the safety and caution first. So we don't know these people intimately yet, but as we're with them for a year to two years, we'll be assessing all their capabilities and we'll have professionals that work with them in assessing their capabilities and if they're able to -- some individuals we support drive, you know. As a matter of fact, I always have one as an example, because he has driven 15 years without a speeding ticket and I don't know if we can all say the same.

It really depends on the individual's capabilities. To begin with, our staff would be right next to them. I think you're right. It is a very busy road. So it is certainly not an idea of ours to say, "We're going to get exercise, let's walk on that road."

Black Creek Park isn't that far away. There will be staff there that could do transportation and we can walk in a place a little more designed for that activity.

MS. SCHWERTFEGER: I have been on the board at DePaul in Churchville years back for many years, and they have the sidewalk, and they go up and it is fine. But I think of that road, and I know I walk on it just to get up to Whispering Winds and you have to really be careful.

MR. BIELEMEIER: Yes. Absolutely. I actually use to live in Churchville which is down this way every day. So it is not our plan in the beginning that the individuals will be using the road for exercise and walking, but I also wouldn't say forever and only that somebody wouldn't be independent enough to do so.

MS. SCHWERTFEGER: Okay.

SUPERVISOR DUNNING: Drew (Bielemeier), how many vehicles do you expect to be parked -- in and out of there at any given time, and is the parking that is currently there for the driveway size adequate for the vehicles that would be -- you normally would expect to be on site?

MR. BIELEMEIER: Very good question.

Actually, the parking at the site we're going to put in a proposal to add one more spot and like a turnaround area so we have adequate parking.

COUNCILWOMAN SPERR: Not to interrupt you, but how many spaces -- how many cars will that accommodate? Four, five, six -- three?

MR. BIELEMEIER: Well, six easily, and the spot to turn around in the driveway without having to back out. We can't back out of that driveway, okay? Now, you -- you could fit more if you're placing alongside the driveway, but that is not really our intention. We actually did that with the realtor when we were out there to see what it would look like and that is what led to another parking spot.

We'll have one vehicle associated with the home and we anticipate two to three staff each shift, so we anticipate four vehicles on a standard operating day. However, the individuals that live there will have supports from nurses, clinicians, other people. We have a Quality Assurance Department. Some folks from administration like to stop in at times. There could be times up to six. There could be family members that come to visit. So typically we would see around four, but it could be up to six or seven.

There could be staff meetings, but if the staff meetings are too congested, we usually hold those someplace else.

COUNCILMAN SLATTERY: Do you plan on encouraging no parking on Chili Avenue again?

MR. BIELEMEIER: Absolutely.

COUNCILMAN SLATTERY: Because I see this at various group homes where due to the lack of parking on facility, they will now park on the public road and that causes problems. I lived in that area for over 20 years. I saw the traffic that came through there, the volumes, the speeds and so forth, the accidents, the car going off the road, running into the house a couple of times off of Chili Avenue.

So my concern is the number of vehicles that you just stated, the number of staff that you plan on having there and the amount of parking that you have. By the sounds of it, there is no way you can accommodate all that parking within that driveway. So I would hope that improvements beyond one parking space would be made to accommodate that or to encourage the staff and any other guests or so forth to park off the -- off Chili Avenue.

MR. BIELEMEIER: I appreciate your concerns. We actually have a home on Buffalo Road where 20 years later the individual has aged quite a bit. Their needs have changed. Our staffing has increased and we don't have the opportunity because of the size of the lot to do a heck of a lot more with the parking. And on that road the people do park on the side of it, but it is certainly not what you would want. It is not ideal. We don't want that.

One of the things we did like about this, we do think adding a spot -- actually, some of the team members felt we didn't even need to have a spot. We really do think that would work. If not, we have the opportunity to add more. That is one of the things we liked about the driveway. We could widen that driveway.

COUNCILMAN SLATTERY: Sure.

MR. BIELEMEIER: It is there. The lot is the right size to do so and then we'll take care of that problem.

COUNCILMAN SLATTERY: One thing. I am glad you mentioned Buffalo Road. There is a group home or a facility that's on Buffalo Road near Elmgrove and there's a van that pulls in over there. Well, the van, I guess, it's easier for them to back in, so if you know Buffalo Road and Elmgrove at peak times, you have a van that's now stopped on Buffalo Road blocking one lane, attempting to pull out into the center lane, take -- occupying both westbound lanes and then trying to back up. It's not ideal.

So a turnaround would be better, so that's -- it's something to think about.

MR. BIELEMEIER: We truly don't envision any larger vehicles at this site. A minivan, station wagon type vehicle that we would have at our own homes because of -- needs of the individuals don't require any more than that at this time.

COUNCILWOMAN SPERR: I'm happy to hear that you have that turnaround.

MR. BIELEMEIER: Look, I said we have the opportunity to create it larger if we need to. And we will do so.

COUNCILMAN SLATTERY: One -- actually a couple of comments.

I'm not sure if the audience has more, but where I currently reside, on Attridge Road, there is -- you go into Union Square. There's a couple group homes in there. And you brought up people walking. Well, a staff member, um, almost daily walks with a couple of the individuals that reside there. They do the loop. They go out to Union Street, Buffalo Road up Attridge Road. And the traffic that is there, the volume of speeds, you know, there is somebody that is out walking with them. So I mean, they're fully capable and they're -- you know, they're with them. And it is a good form of exercise, as well. I just wish that we would have more Sheriff's presence out there for the speeds because of the people that come through Riga where it is 55 into Attridge where it is 35, we have been pushing for Traffic & Safety and the Sheriff's Department to do more on that, but it hasn't been done.

So, you know, if that is something that maybe, you know, that we can keep working on with that.

Snow removal I know is an issue for those two group homes and the nursing home and then some of the housing where I currently am. You're not going to have that problem, but there is another group home that is on Union Street where the snowplow operators continually block the sidewalk.

You won't have that issue where you are. You don't have the sidewalks there. So it is just something to keep in mind.

Then the garage. You mentioned the garbage. The -- you -- you know, they put it out on a timely fashion; they pull it in in a timely fashion. Seeing some of your current operations I took a look at, it's not an issue. So I just want to applaud you and give you guys credit for that.

MR. BIELEMEIER: I'm glad it hasn't been an issue, but we're not always perfect.

COUNCILMAN SLATTERY: Who is?

MR. BIELEMEIER: It's nice. I feel it's nice that we have an accountability partner. You know, somebody who is not really grilling us, but somebody who is reminding us, "Hey, all right. I understand what you're trying to achieve."

Because we're trying to help the people who live there take that ownership for themselves. Really don't want the staff taking the garbage down when the individuals who live there can do that and learn that responsibility for themselves. I want the staff there to be able to give the gentle reminder and talk about respect and consideration for neighbors.

Sometimes we don't do it well and we welcome a call to say, "Hey, it's blowing wind and the top came off the garbage and the garbage is blowing into our area."

We want you to call on that. We want to come over and effect that and pick up the garbage and take care of it.

MS. BORGUS, 31 Stuart Road

MS. BORGUS: I, too, am in the neighborhood of this proposed group home. And I'm all in favor of helping the disadvantaged, but you can't blame me, I think, for being skeptical because was it just two months ago this room was filled with people from a neighborhood where they -- they went through hell with a group home. And I understand the Town has intervened. They shouldn't have. Maybe it's better. Maybe it's not. I don't know.

But it was a question of one of the people, the residents in the home coming out to the end of the driveway at the wee hours of the morning, I guess, maybe dawn and screaming endlessly, that kind of thing. Garbage put out that was all over the road. Parking. They -- the snowplows couldn't even plow the roads last winter. I have just heard that I don't know how many times about group homes.

I see the problem with the one at North Chili on Buffalo Road with the parking in the road. That's horrible. I also was -- happened to be a court watcher in Town Court not very long ago and they brought a resident in from one of the group homes, Union Square Boulevard, and she was actually charged with assault. She was in our Town Court.

So I -- I know -- I know the good that can come from these homes, but I also see a lot of problems. A lot of problems. Parking is a biggie because I know there is all these promises, "We'll only have four or five cars."

It doesn't ever seem to work. There is always more. There is no way that I can see that they could have a meeting and bring in extra participants of the meeting and do it at that location because you're looking at, um -- I don't know. The one here on Chili Avenue, they have -- across from Suburban, they have meetings in there, and it looks like there is 12, 14 cars there at a time. This -- this site can't accommodate that. I don't care how many turnarounds you put in extra.

It would be nice to have more than one. I agree with Mr. Slattery, you know, that parking is a big, big, big issue with these group homes. And these -- these -- these residents like to have their family come. They have families expect they can visit. That is the way it should be, but you have to be in a site that accommodates the kind of traffic that you know is going to come.

SUPERVISOR DUNNING: Dorothy (Borgus), and I don't want to cut you off and I will allow you more if -- if you have some questions or say some more things.

I will say my experience with Heritage Christian has very been positive. Ron Little reached out and said, "Here is my number. Give it to people."

He wants to know what is going on over here. So -- at these sites. I will say they have other sites in Chili and they are -- they're -- they're immaculate. They're kept very well. They're very, very -- I can't say enough about the performance of this agency and what they -- what they have done in other homes around Town.

And yes, there have been some homes in Town, but they're not Heritage Christian homes, and they are not -- they're not -- they are another agency and we have -- we have worked with that. But I will say the biggest failure in that particular group home was on -- it was -- it was created years ago when this type of a meeting did not happen, when the residents weren't invited in to at least be introduced to the agency and the type of things that will happen in that home. That didn't happen here in the Town. This was many years ago before I was here. And it's too bad that that didn't happen, that you didn't get that opportunity to meet the agency, meet the people in charge, get an understanding of what was going on. And that's what really fell apart in that particular instance.

You're right, the Town Board should never have to get involved in that type of a situation, should never get that bad, but you know what? The agency responded. The neighbors are -- are satisfied now to -- to -- I think largely to a great degree that they feel much better about what is

happening. The agency and the neighbors have met. They talked about some of their issues. They pretty much have all been resolved. There is still somewhat of a parking issue that they are also working on.

But I think -- my experience with Heritage Christian, what they tell you they're going to do, they're going to do. They -- there is no reason for me to believe otherwise based on -- based on past experience or performance, and that is not just here in Chili. That's elsewhere where they have group homes. And they have several. There are not just a few here in Chili.

But I would like to say, just for the record, and so that the people and the residents here understand, um, we receive a letter for the group home, no matter what the agency is, Heritage Christian Services, ARC, CDS -- is that another one? I'm just trying to think of some of the other ones we may have here in Chili.

There is -- there is -- and I would like to again just -- under the 41.34 statute, a Municipality has 40 days after the receipt of a letter to respond in one of three ways. We only have three choices by law to respond to an application for a group home. Um, one option is to approve the site recommended by the sponsoring agency. Two, is to suggest one or more suitable sites within the jurisdiction which would accommodate such a facility. Or three, object to the establishment of the facility of the kind described by the sponsoring agency because to do so would result in such a concentration of community residential facilities for the developmentally disabled in the municipality.

It goes on a little further than that, but we're not here to approve -- we're not here to deny this site. We're here to inform you about what the agency is, what you can expect from this group home and what the -- we cannot -- or this is not an approval process. Or disapproval process. They're not here for that.

So -- just so that that -- folks are perfectly clear, the Town has no mechanism in this to say, "Go away. You can't do your group home here," unless we provide them with another site that is more suitable for this. And I don't know that we can honestly do that. But anyway, I just --

MR. BIELEMEIER: If I may, as well, respond, um, exactly what you're saying is also our concern, ma'am. We don't want some of the negative things that may happen or may be perceived to happen and communicate and start to influence the people we support. We recognize it is our role as professionals to help make sure that those standards are met. So I would hope -- again, I can't tell you we're going to be perfect, but you would hope if you called us with a concern, what you would find is a willing person who is committed to trying to resolve that as opposed to somebody saying, "Tough luck. You have to deal with it."

We really value all your input, the community, the neighborhood, especially the closest neighbor and we want to be good neighbors.

With Buffalo Road, you're right, that has been a challenge for us. We can't disagree with it. We're trying to figure out exactly how to make that better. But when we have staff meetings there, we don't have them at that house because we realize that creates such a challenge. They have them at their facility in Henrietta that has the parking to be able to address that, so we try to be respectful and considerate of everybody.

And just so I'm clear, in the parking there is already a spot for two cars on a turnaround. Our thought was our staff would be parking in those. That would take the turnaround. So we added another one so there really is a turnaround. Three cars could park up by the garage and the house and two in the turnaround, but then the turnaround gets taken away and we didn't want anybody to back out. That is why we're creating an extra spot so there is a usable turnaround for the cars that park right up against.

But we'll go back and also reassess based on everybody's feedback and we'll work with our facility.

MR. LITTLE: Two spaces in the garage.

MR. BIELEMEIER: And two in the garage.

But for reality sake, those spaces in the garage aren't used as often as they could be. I want to make sure I'm very honest with you and transparent.

MS. BORGUS: And I was interested in trash. Where will trash be stored? Before it is picked up.

MR. LITTLE: In the garage.

MS. BORGUS: Okay. So you don't really have the garage available for cars.

MR. LITTLE: Yes.

MR. BIELEMEIER: It's a two-person garage. We would not be putting two cars in there. Absolutely not. It's too small.

SUPERVISOR DUNNING: I keep vehicles in my garage and my garbage cans, too.

MS. BORGUS: Mine you can't. They're very small.

Is there -- is there any chance that those huge trees in the front yard could be removed? That might solve part of your parking problem. It also would increase the -- for better the looks of the house. Those half-dead pine trees in the front yard don't add anything and they may be an impediment to creating more parking.

MR. BIELEMEIER: If they were an impediment to the parking we needed, we would probably take those steps. It's not in our plans to be honest, ma'am, at this point to take out those trees.

MS. BORGUS: Well, I agree with Mr. Slattery that parking and -- parking on the road at that site -- and he certainly should know, because he lived there for 20 years himself -- is not a possibility. There has been so many accidents in that mile, half mile, right there, for what -- who knows why, but there is accident after accident after accident over the years on that little piece

right there, just -- just east of the driveway. Of this driveway. So parking on the road is not, not going to be an option. It can't be an option.

So -- and I have your number, and I guarantee you if we have a problem, I will be your worst enemy.

SUPERVISOR DUNNING: And we will guarantee that also. (Laughter.)

MR. BIELEMEIER: If we don't, we'll be good friends.

COUNCILMAN SLATTERY: Drew (Bielemeier), did you hand her Ron (Little)'s card? (Laughter.)

MR. LITTLE: We already had a nice chat over the phone.

Did you get a chance to go out to see --

MS. BORGUS: No. I haven't yet. I have a friend who is not doing well.

MR. BIELEMEIER: We have annual reports here that tell a little bit more about the organization. Anybody is welcome to that. I think we have other cards for anybody that wants them.

For the parking on the road, I can't agree with you more, to be honest. The one thing I will say, there are sometimes family that stop by, and we will work with them so they don't park on the road, but there may be a time when they park on the road before we get a chance to say, "Hey, that is not safe. Let's come on in and park in the driveway," that you could drive by.

Again, you're free to -- please let us know. We don't want it to be a situation where you see it every day and it becomes a standard. It is not standard we want, as well.

COUNCILWOMAN DI FLORIO: A couple of questions. Um, you mentioned that all of the -- all of the residents that are going to be coming there currently know each other. Where are they coming from?

MR. BIELEMEIER: Right now they live at Monroe Developmental Center.

COUNCILWOMAN DI FLORIO: And what is the typical turnover in a home such as this?

MR. BIELEMEIER: For staff in --

COUNCILWOMAN DI FLORIO: No. For residents.

MR. BIELEMEIER: For residents.

MR. LITTLE: That's almost never.

MR. BIELEMEIER: Difficult question. There is not typically much turnover.

COUNCILWOMAN DI FLORIO: The four that will come there presumably will live there until they pass on?

MR. BIELEMEIER: Yes.

COUNCILWOMAN DI FLORIO: As long as necessary?

MR. BIELEMEIER: Their needs -- they have the same life period you or I might have. Now, if their aging needs change enough and there is a location and people they know that would better fit those needs, they might move.

COUNCILWOMAN DI FLORIO: Makes sense, but it's not like people will be coming on a yearly or biyearly basis or anything. Great.

SUPERVISOR DUNNING: Ladies, any question? I assuming you were here to hear this, too, also? I just want to make sure anybody gets any questions --

UNIDENTIFIED SPEAKER: No, that's fine.

SUPERVISOR DUNNING: Okay. I just wanted to make sure. Anybody else have any other questions?

COUNCILWOMAN SPERR: No. Glad they were here.

SUPERVISOR DUNNING: Drew (Bielemeier), Ron (Little), thank you very much for coming in and I appreciate your taking the time to do that.

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 7:32 p.m.

SUPERVISOR DUNNING: Seeing that the purple ribbons really don't relate to Roberts Wesleyan. No. Roberts Wesleyan never decorates the Town that I'm aware of any ways, but I will say in this case, you're slightly wrong, Dorothy (Borgus), and I will tell you why you are slightly wrong this time.

I got to take that opportunity when I can get it. (Laughter.)

Because of what happened last year, and -- and I'm well aware of the situation last year and they didn't come down in a timely fashion, or for that matter, until a phone call was made. This year we actually developed a plan with the school to make sure that ribbons were going to be taken down. It wasn't going to happen immediately. We gave them a date in which we wanted this to be completely removed, understanding that the kids were at the end of the year -- this is the end of the school year and there are other things going on.

My understanding is that by June 23rd there are specific teams assigned specific areas in the Town of Chili and the Town of Gates to remove these ribbons. Some -- some of the ribbons were removed from some areas, but each -- each area has been assigned a team of children. I have the children's names. I have the contact information for the person responsible.

But we came up with a schedule for them to actually specifically be removed. So it wasn't ignored, nor it wasn't something that wasn't planned into this year's event. They did plan it, and we'll wait for that day to pass and if that day passes and it didn't happen, then we have another issue that we'll take up then but right now, so far we have a -- we have a commitment to get them

down.

And it was a great event. It was a lot of fun. We had a good time out there. And thanks to Mike Curley and -- well, actually, Ashley Bent who really coordinated the whole event for the Team Chili, for the Chili -- for those of us that went out there, it was very good -- very good time.

COUNCILWOMAN DI FLORIO: And for a good cause.

SUPERVISOR DUNNING: Yes. For a great cause. Great cause. So I will move onto Matters of the Supervisor.

#### **MATTERS OF THE SUPERVISOR:**

1. Vacancy Ethics Committee & BAR (Temp Member) Committee.

SUPERVISOR DUNNING: We do have -- still have vacancies on the Ethics Committee and a space for a temporary member for the Board -- Board of Assessment Review.

2. Chil E-Fest 7/4/2013.

SUPERVISOR DUNNING: Also, just a reminder, as I know it was mentioned in the invocation, so thank you, that the Chil-E Fest is on July 4th.

I do have one sad thing to -- well, sad for me. I got a phone call this afternoon, the band that was going to headline our show, um, the lead singer had open heart surgery and so that band has had to cancel and we're working on another band now. So -- but --

COUNCILWOMAN SPERR: I was excited.

SUPERVISOR DUNNING: It was a band I followed since the '70s and I thought it was going -- I'm a little disappointed, but we're working on another band. It was -- the Good Guys was the band that was supposed to play and their lead singer who is -- I mean, is he the band. Without him there is no point in them being here at all.

COUNCILMAN SLATTERY: I would give a little more credit to the people behind him.

SUPERVISOR DUNNING: They do a good job, but I got to tell you, he is the writer, the performer, the singer. It's his voice. He -- you got to listen to him to understand it.

COUNCILWOMAN SPERR: They probably don't want to perform without him.

SUPERVISOR DUNNING: Any ways, it is unfortunate and I hope -- I hope Pepe recovers from his -- from his surgery and his operation. Pepe Marcello is the lead singer.

RICHARD STOWE: Pepe, okay.

SUPERVISOR DUNNING: Good Guys. Good Guys. I know. Riga doesn't understand.

RICHARD STOWE: Just Pepe and open heart surgery just don't go together. (Laughter.)

COUNCILMAN SLATTERY: This time they do.

3. Petition from the residents of Bright Oaks Drive for a temporary speed bump.

SUPERVISOR DUNNING: Nonetheless, any ways -- any ways, we also did receive a petition from the residents on Bright Oaks Drive for a temporary speed bump. That petition was specifically addressed to Mr. Lindsay as Superintendent of Highways and Mr. Lindsay has taken care of that, but I just wanted to make that a part of the record that we did receive those petitions. Moving on.

#### **MATTERS OF THE TOWN COUNCIL:**

COUNCILWOMAN SPERR: I have just a couple of things. Um, earlier, um, Michael (Slattery), you made a comment about the speeding on Attridge Road. I just wanted to let you know that at our last Traffic & Safety Committee meeting it was addressed that there are a few measures that they are going to try to aid the residents on Attridge Road because of the speeding. Um, you know, we have no control over the -- the people and how fast they drive, but with some increased Sheriff's presence, um, additional signage and some other measures, I hope that we can get people to think twice before continuing on as fast as they have been. Just wanted to let you know.

COUNCILMAN SLATTERY: Appreciate that. And before you move on to the second item, the last time I worked with -- with the Traffic & Safety, Dave Lindsay, they put up the speed reader out there. I'm not sure the accuracy of the speed reader, because I know people were driving faster than what the speed reader -- there is limits on that speed read -- a minimum and maximum it can be set at. I'm not sure what they were set at. But I know people were exceeding, um, the speed limit quite high, and the reader never even documented that information.

COUNCILWOMAN SPERR: That was discussed.

COUNCILMAN SLATTERY: Then we also contacted the Sheriff's Department and they said they would give it special attention. Two cars sitting out there at the same time, one blocking the lane of traffic, socializing, was sort of not the best way to do a speed trap or to have people out there. And then the hours that they were out there and the amount of time. Ten minutes, you know, one time -- I mean I -- believe me, living there, and the people know who I am.

COUNCILWOMAN SPERR: I can appreciate that.

COUNCILMAN SLATTERY: I have -- I will go back to somebody who used to participate in Town Board meetings a lot, the hotline. Now I get it. I get people stopping by my house and so forth. So they're aware of what is going on, people that are retired who sit home they and know when they're out there.

So there was actually a Deputy that was out there the other night and I stopped and I thanked him.

COUNCILWOMAN SPERR: That's new. And there is a resident who has volunteered to let the Sheriff's use his driveway.

COUNCILMAN SLATTERY: Multiple residents have.

COUNCILWOMAN SPERR: I was trying to be generous. So yes, they have -- can switch that up and have people think twice as to whether a Sheriff will actually be there when they see the presence. Like I said, all we can do is try. It will be followed on and followed through and we'll see if the Traffic Safety Committee will keep it on their list of --

COUNCILMAN SLATTERY: But also let's keep it in perspective. One road in the Town of Chili and the other calls they have to respond to or -- they're in Union Square enough, they have can just come around the corner and sit there once they're finished with those calls.

COUNCILWOMAN SPERR: I believe they're also trying the temporary signs. I think that was on the list, the "Please slow down" neon signs that we can put there for a couple weeks just to draw attention. I know you're thinking I can read your mind.

COUNCILMAN SLATTERY: That's a short story. (Laughter.)

COUNCILWOMAN SPERR: At least we'll try. So I just wanted to let you know.

Only other comment I wanted to make is that the -- I had earlier made an announcement that the Preservation Board was going to head up some tours during the Chil-E Fest. That will no longer take place during the Chil-E Fest and they will discuss it again at their next meeting if they can still make that happen this year, but that won't be part of the Chil-E Fest this year unfortunately. But hopefully we can do that in the future. That was all I had.

COUNCILMAN SLATTERY: One thing I have, is the training reports, when Town employees go to training, are we getting those? Are they supposed to come to the Town Board? I haven't seen any. You know.

SUPERVISOR DUNNING: We'll check on that. I -- I thought those would be going in your drop box. I will double check on that.

COUNCILMAN SLATTERY: Okay.

SUPERVISOR DUNNING: We can get those to you.

COUNCILMAN SLATTERY: Thank you.

The 5/15/13 Town Board meeting minutes were approved as submitted.

**REPORTS SUBMITTED:**

Chili Parks & Rec. Committee Minutes – 4/16/2013  
Conservation Board Minutes – 5/6/2013  
Dog Control Report – April 2013, May 2013  
Drainage Committee Minutes – 4/2/2013, 5/7/2013  
Historic Preservation Board Minutes – 4/8/2013, 5/13/2013  
Library Board Minutes – 4/23/2013  
Monthly Financial Statement – May 2013  
Planning Board Minutes – 3/12/2013, 4/9/2013  
Recreation Revenue Report – May 2013  
Senior Center Revenue Report – May 2013  
Town Clerk Report – May 2013  
Traffic & Safety Minutes – 4/4/2013, 5/2/2013  
Zoning Board Minutes – 2/26/2013

**CORRESPONDENCE:**

1. Virginia Ignatowski, Town Clerk has received notification that Michelle Morgan, Assistant Clerk to the Town Justice has resigned, effective 5/31/2013.

---

**RESOLUTION #159 RE: Chili Fire Department, Inc. Addition to Active List**

**OFFERED BY: Councilman Slattery SECONDED BY: Councilman Brown**

**BE IT RESOLVED** that the following individuals be added to the Chili Fire Department, Inc. Active list effective May 13, 2013, May 20, 2013 & June 10, 2013:

Garrett L. Marvin (5/13/2013), Michael J. May (5/20/2013), David Veator (6/10/2013), Nathaniel T. Ward (6/10/2013), Alex Graff (6/10/2013), Matthew Parish (6/10/2013)

UNANIMOUSLY APPROVED

---

**RESOLUTION #160 RE: Chili Fire Department, Inc. Removal from Active List**

**OFFERED BY: Councilman Brown      SECONDED BY: Councilwoman DiFlorio**

**BE IT RESOLVED** that the following individuals be removed from the Chili Fire Department, Inc. Active list effective May 13, 2013, June 3, 2013 & June 10, 2013:

Jim Kelley (5/13/2013), Christopher Cody (6/3/2013), Sarina Moneta (6/3/2013), Michael Remkus (6/10/2013), Alexander Lemenze (6/10/2013)

UNANIMOUSLY APPROVED

---

**RESOLUTION #161    RE: Use of the Senior Center Trust and Agency Account**

**OFFERED BY: Councilwoman Sperr      SECONDED BY: Councilwoman DiFlorio**

**WHEREAS**, the Senior Center Trust and Agency account was established in the year 2000 to hold proceeds from fundraising activities to benefit the Chili Senior Center; and

**WHEREAS**, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to use funds from said account to offset the cost of the fall picnic to be held on Wednesday, September 13, 2013 at Black Creek Park. Cost not to exceed \$500.00.

UNANIMOUSLY APPROVED

---

**RESOLUTION #162    RE: Use of the Senior Center Trust and Agency Account**

**OFFERED BY: Councilwoman DiFlorio      SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the Senior Center Trust and Agency account was established in the year 2000 to hold proceeds from fundraising activities to benefit the Chili Senior Center; and

**WHEREAS**, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to use funds from said account to offset the cost of entertainment for, "Diva and the Dames" on Friday, September 13, 2013 at the Chili Senior Center. Cost not to exceed \$500.00.

UNANIMOUSLY APPROVED

---

**RESOLUTION #163    RE: Uniform Notice of Claims Certificate**

**OFFERED BY: Councilman Brown      SECONDED BY: Councilwoman DiFlorio**

**WHEREAS**, General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

**WHEREAS**, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the Town's agent; and

**WHEREAS**, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent's estate; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Chili, County of Monroe designates Virginia Ignatowski, in her capacity as Chili Town Clerk, to receive notices of claims served upon the Secretary of State by mail at 3333 Chili Ave. Rochester, NY 14624 and email at [gignatowski@townofchili.org](mailto:gignatowski@townofchili.org); and

**BE IT FURTHER RESOLVED**, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town's designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

UNANIMOUSLY APPROVED

---

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Supervisor, in regards to this resolution, the programs that we're going to be doing this year, do we have enrollment started yet for these, for this?

SUPERVISOR DUNNING: I would -- Dan (Knapp) is shaking his head yes so he knows a little more about this. Yes. He is seeing the money coming in.

COUNCILMAN SLATTERY: And then do the programs, because I know --

SUPERVISOR DUNNING: I think they're full.

COUNCILWOMAN DI FLORIO: I think it is full.

COUNCILMAN SLATTERY: Do we see -- I know it came out in our flyer. Do we see a possible increase in programs or field trips that would require additional staffing? And the reason why I ask, um, previous years, they have come back and said we need additional staffing. So is that something they're considering, or do they feel comfortable with the staffing level at this time?

SUPERVISOR DUNNING: I believe all of the programs, the -- the programs and program participation has been equally matched to the staffing that they will have, that they have taken into consideration challenges they have had in staffing before and that has been addressed.

COUNCILMAN SLATTERY: Okay. That's all I have.

**RESOLUTION #164 RE: 2013 Summer Recreation Staff**

**OFFERED BY: Councilman Brown**

**SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that per recommendation of Michael Curley, Parks and Recreation Director, the following people be hired for summer employment.

Playground Director (\$13.25/hour)  
Guy Puglia

Summer Leader (\$10.00/hour)  
Garrett Lane  
Glenn Pittman (Teen Camp)

Summer Head Counselors (\$8.25/hour)  
Amanda Braun  
Nicholas Servati  
Sara Ertel  
Melissa Salatino  
Ryan Fitzgerald

Summer Counselors (\$7.50/hour)  
Amanda Schartau  
Samantha Lawler  
Jenna Puglia  
Christina Fisher  
Brianna Puglia  
Susan Muchard  
Stephanie May  
Amy Hahn  
Connor Hamilton  
Brittany Schneider  
Alicia Sinicropi  
Joshua Vendetta  
Michael Caternolo  
Teresa Braun

Seasonal Tennis Instructors (\$7.25/hour)  
William Davis  
Kyle Stitch

UNANIMOUSLY APPROVED

---

**RESOLUTION #165 RE: Budget Transfer – Unemployment Insurance**

**OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Brown**

**BE IT RESOLVED** to transfer \$3,500 from A1355.1 (Assessor, Personnel Services) to A9050.8 (Unemployment Insurance, Employee Benefits).

UNANIMOUSLY APPROVED

---

**RESOLUTION #166 RE: Budget Amendments**

**OFFERED BY: Councilwoman Sperr      SECONDED BY: Councilwoman DiFlorio**

**BE IT RESOLVED** to revise revenue budget A2001 (Park & Recreation Program Fees-Recreation Programming) by an increase of \$10,000 to account for expected camp fees; and

**BE IT FURTHER RESOLVED**, to revise expense budget A7310.4 (Youth Programs-Summer Field Trip) by an increase of \$10,000.

UNANIMOUSLY APPROVED

---

**RESOLUTION #167 RE: Purchase of Stake-Body/Lift Truck**

**OFFERED BY: Councilwoman Sperr      SECONDED BY: Councilman Slattery**

**WHEREAS**, included in the approved 2013 budget is the purchase of Stake-Body/Lift Truck replacement for the Department of Public Works; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the purchase one (1) 2013 Ford F-550 XL under Chautauqua County Bid 2012, Group 6, Item 3, Veh 1, from Van Bortel Ford at a cost not to exceed \$33,000 with half to be paid from Account #A8540.2 (Town Drainage - Equipment) and the other half to be paid from Account #SD8540.2 (Consolidated Drainage - Equipment).

UNANIMOUSLY APPROVED

---

**RESOLUTION #168 RE: Establish Letter of Credit for 997 Beahan Road – Wadhams Enterprises**

**OFFERED BY: Councilman Brown      SECONDED BY: Councilman Slattery**

**BE IT RESOLVED** that per the recommendation of the Town Engineer, a letter of credit be established for 997 Beahan Road – Wadhams Enterprises in the amount of \$80,081.76.

Items within the letter of credit include, but are not necessarily limited to, rough grading and construction of a storm water management features, erosion control measures, Phase II inspections and the preparation of record plans to be submitted to the Town.

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

UNANIMOUSLY APPROVED

---

**TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:**

SUPERVISOR DUNNING: There was a question, Mr. Lindsay. Do you recall the question?

DAVID LINDSAY: I think the question was whether or not -- the parks roller, it's not a parks roller. It's a highway roller.

Just a little background, there's two auctions a year we send vehicles to, the spring and fall auction. We sent the parks vehicles to the spring auction. The roller that this one will be replacing will be going to the fall auction.

SUPERVISOR DUNNING: Okay. So this is not going tomorrow or the next day?

DAVID LINDSAY: No. October I think is the auction.

COUNCILMAN SLATTERY: But if the Parks Department needed to utilize this roller for something?

DAVID LINDSAY: Yes, they could use it.

COUNCILMAN SLATTERY: It's a Department of Public Works piece of equipment?

DAVID LINDSAY: Correct.

SUPERVISOR DUNNING: Any other questions or comments?

**RESOLUTION #169 RE: Authorization to Bid for Small Roller**

**OFFERED BY: Councilwoman Sperr      SECONDED BY: Councilwoman DiFlorio**

**WHEREAS**, included in the approved 2013 budget is the purchase of one (1) new small roller replacement for the highway department: And

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the advertisement for bids for (1) one new small roller replacement.

UNANIMOUSLY APPROVED

---

**RESOLUTION #170 RE: Roberts Wesleyan College Parade**

**OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr**

**WHEREAS**, Roberts Wesleyan College has asked for the Town's permission to hold a Homecoming Parade on Saturday, September 28, 2013 at 11:00 a.m. to last for approximately one hour; and

**BE IT RESOLVED**, that the Town Board hereby authorizes Roberts Wesleyan College to hold Their Homecoming Parade on September 28, 2013, 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 #171 RE: Acceptance of Federal Transit Program Grant**

**OFFERED BY: Councilman Brown SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the Town was recently notified of a grant offered to the Town of Chili by the Federal Transit Administration (FTA) Section 5310 Program to be utilized towards the purchase of a new 20 Adult Passenger Van for a cost not to exceed \$49,443 (80% Federal [\$39,554] & 20% Town [\$9,889]); and

**NOW, THEREFORE, BE IT RESOLVED**, to accept the Federal Transit Program Grant and authorize the Supervisor to sign the grant agreement and other necessary documents subject to the review and approval of Counsel for the Town.

UNANIMOUSLY APPROVED

---

**RESOLUTION #172 RE: Transfer to General Fleet Reserve & Bus Grant Budget Amendment**

**OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilwoman Sperr**

**WHEREAS**, an auction of general equipment was held in May 2013 and the Town received proceeds of \$18,418.50 for the sale of that equipment; and

**WHEREAS**, it has been advantageous to transfer the auction proceeds to the General Fleet Reserve for future use; and

**WHEREAS**, the Town received a grant for a new van for use by the Senior Center which requires a 20% match to be paid by the town; and

**NOW, THEREFORE, BE IT RESOLVED**, to increase the General Fleet Reserve by \$8,529.50; and

**BE IT FURTHER RESOLVED**, to revise revenue budget A2665 (Sales of Equipment) by \$9,889.00; and

**BE IT FURTHER RESOLVED**, to revise expense budget A6772.2 (Programs for Aging - Equipment) by \$9,889.00.

UNANIMOUSLY APPROVED

---

**RESOLUTION #173 RE: Set Public Hearing for July 17, 2013 at 7:00 p.m. to Consider Rezoning of 15, 17, 21, 23 & 25 Orchard Street from R-1-15 to Planned Institutional Development (PID)**

**OFFERED BY: Councilman Brown**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the Planning Board at their May 14, 2013 meeting recommended that the applicant petition the Town Board to rezone the properties located at 15, 17, 21, 23 & 25 Orchard Street from R-1-15 to PID; 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 17, 2013 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 15, 17, 21, 23 & 25 Orchard Street, Tax ID# 132.13-01-8, 9, 10, 11 & 12 from R-1-15 to PID.

UNANIMOUSLY APPROVED

---

**RESOLUTION #174 RE: June 5, 2013 Abstract**

**OFFERED BY: Councilman Brown**

**SECONDED BY: Councilwoman DiFlorio**

**WHEREAS**, January 2, 2013 Resolution #1 authorized vouchers to be paid June 5, 2013 by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 9885, 9887, 9889, 9891, 9893-9921, 9925, 9927-9930, 9939, 9949-9958, 9960-9962, 9964-9972, 9976, 9984-9997, 10002, 10007-10008, 10010-10016, 10020, 10022, 10026-10029, 10031-10086 totaling \$99,810.28 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record vouchers 9885, 9887, 9889, 9891, 9893-9921, 9925, 9927-9930, 9939, 9949-9958, 9960-9962, 9964-9972, 9976, 9984-9997, 10002, 10007-10008, 10010-10016, 10020, 10022, 10026-10029, 10031-10086 were paid from the following funds:

General Fund	\$ 73,506.22
Highway Fund	\$ 14,380.05
H48 200 Beaver Road Project	\$ 9,927.93
H52 Union Station Park ADA Trail	\$ 552.12
Consolidated Drainage	\$ 1,443.96
Total for Abstract	\$ 99,810.28

UNANIMOUSLY APPROVED

---

**RESOLUTION #175**

**RE: June 19, 2013 Abstract**

**OFFERED BY: Councilwoman Sperr**

**SECONDED BY: Councilwoman DiFlorio**

**BE IT RESOLVED** to pay vouchers 9378, 9759, 9863, 9963, 10030, 10089-10131, 10133-10137, 10141-10147, 10150-10166, 10171, 10174-10214, 10216-10219, 10226-10270, 10272-10287 totaling \$435,660.63 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$239,882.20
Highway Fund	\$ 87,533.44
Library Fund	\$ 791.21
H45 Widener Park Project	\$ 1,382.50
H48 200 Beaver Road Project	\$ 36,539.06
H54 Annual Update 2013-2014	\$ 1,500.00
Consolidated Drainage	\$ 1,981.15
Fire Protection Districts	\$ 54,179.95
Special Light Districts	\$ 11,871.12
TOTAL	\$435,660.63

UNANIMOUSLY APPROVED

---

Supervisor Dunning made a motion for the Town Board to go into Executive Session at 7:48 p.m. Councilwoman DiFlorio seconded the motion. The Board was unanimously in favor of the

motion. Supervisor Dunning indicated no further business would be conducted this evening when the Board returned from Executive Session.

The Town Board returned from Executive Session at 8:08 p.m.

The next regular meeting of the Chili Town Board will be on Wednesday July 17, 2013 at 7:00 p.m. in the Chili Town Hall main meeting room.

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