

CHILI TOWN BOARD
July 11, 2007

A meeting of the Chili Town Board was held on July 11, 2007 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 Tracy Logel.

PRESENT: Councilwoman Ignatowski, Councilman Schulmerich, Councilman Slattery, Councilwoman Sperr and Supervisor Logel.

ALSO PRESENT: Joseph Carr, Commissioner of Public Works/Highway Superintendent; John Ferlicca, Deputy Town Supervisor; Dawn Forte, Supervisor's Secretary; Chris Karelus, Building Department Manager; Dianne O'Meara, Director of Finance; Rose Mary Rozzo, Deputy Town Clerk; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

SUPERVISOR LOGEL: Rosemary Rozzo is sitting in for Richard Brongo who had knee surgery and is doing very, very well.

The invocation was given by Rose Mary Rozzo.

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

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Six speakers addressed the Town Board on various subjects, and the Public Forum concluded at 7:31 p.m.

TOWN BOARD LIAISON REPORTS:

Conservation Board Report by Virginia Ignatowski

COUNCILWOMAN IGNATOWSKI: The Walgreens you're hearing a lot about this evening, they came in, their representative, and presented their modified landscaping plans for the Chili Avenue/Paul Road location that we discussed. Walgreens added planting materials and beds per the Conservation Board recommendation and request, and the Conservation Board was much happier with what was proposed, and they did ultimately accept it.

As far as the sign, there was a question about the sign. The Conservation Board was wondering about that, and I think that is in the Town -- not Town-owned but the State land along with some other trees.

SUPERVISOR LOGEL: Nothing is going to happen with the sign. The sign is going to stay right there.

COUNCILWOMAN IGNATOWSKI: They hadn't heard it was going to be moved. I wanted to make that statement.

SUPERVISOR LOGEL: Walgreens is not purchasing that land.

COUNCILWOMAN IGNATOWSKI: No. That is State-owned land, but I think Walgreens is contacting the State to see about taking down some trees that are on State-owned land for visibility. Conservation Board did take a look at some of these trees. They're kind of scrubby, so they were okay with that.

In addition to that, they reviewed the Planning Board agenda. They were very impressed with the landscaping plans for the proposed town home development on Union Street next to that New Hope Church. So they were very happy with those plans. That's it.

Drainage Committee Report by Virginia Ignatowski

COUNCILWOMAN IGNATOWSKI: Drainage did not meet in July. They decided since it was the day before July 4th, that they would just wait and convene again in August.

Historic Preservation Board Report by Mary Sperr

SUPERVISOR LOGEL: Mary (Sperr), Historic Preservation you have two meetings to cover.

COUNCILWOMAN SPERR: Yes, I do. Yes, I do. At the June meeting -- well, some of the information will run right together. I will just do it as one report.

Their -- the group has received the resignation of Peter Widener. It is noted in our agenda tonight, and have been discussing possibilities for -- we only have one gentleman that we interviewed that is left that expressed an interest in Historic Preservation. So they have a couple of ideas of individuals they think are interested in history that we might want to consider and they will let us know if there is someone that might be interested in pursuing to fill the two seats that are vacant.

They are currently working towards their project on the cobblestone houses. They will -- are teaming up to go out and interview all of the owners of the cobblestones in Chili, and they're going to put a package together and they -- there will be planning involved with that.

They're also participating in the Chil-E Fest. They have an antique car that they will be riding in the parade in, and they have also secured a table have a lot of information about Historic Preservation in Chili, homes that are in the district and other interesting details that you -- to try to get people -- peak their interest in Historic Preservation. And there will be presentation booklets and handouts available then. They are also going to try something neat. They're going to have some cameras set up, at their booth, and they will have some antique hats they will bring so you can have pictures taken in antique historic garb at the Chil-E Fest to try to draw some interest to their booth. That is pretty much the minimal stuff for that.

Library Board Report by Michael Slattery

COUNCILMAN SLATTERY: Um, first, in case people don't know, Matt Valerio and his band is playing outside the library tonight. On occasion we can hear that. I'm not sure if the folks in the audience can, but -- so unfortunately, we can't join them now.

Um, also, you know, just want to apologize for any noise if you do hear the concert, but if we see some toes tapping, Jerry (Brixner), that is okay.

MR. BRIXNER: I'm sorry, I didn't hear you Mike (Slattery).

COUNCILMAN SLATTERY: I was just saying if you want to tap your toes to the music of the concert outside, that is okay.

Purchasing policy from the library, they're reviewing this and they submitted it to the Town Attorney for review. Senator Alessi's grant has been approved for \$10,000 to help defray some of the costs in regard to the Monroe County Library System cost shares.

And also the audit has been reviewed by Pat Tindale and Ray Wagner. The library is approved and they're going to be -- they're going to be approving that, as well.

There was one issue with the library that they did close the day after the 4th of July. Unfortunately, there was miscommunication with the Town. I know that I talked to the Director and he is going to be meeting with the Supervisor's Office in regard to that, trying to improve communication. So that's all I have.

SUPERVISOR LOGEL: That's good, because communication is excellent under Jennifer. It would be great to have that back.

Parks and Recreation Committee Report by Tracy Logel

SUPERVISOR LOGEL: Actually Parks and Rec is taking place tonight, so I am here, and last month we were at the Clifton Fire Department when the Parks and Recreation meeting took place, but all of what I was filled in on was all regarding Chil-E Fest, and there are plans for that in getting organized for next week and working out all of the extra details. So that seems to be on line.

And I was happy to see that the Gates-Chili News gave us a thumbs up for having the fireworks on Saturday night so that people go to work the next day -- and I know was a problem downtown, because on the 4th of July, many people had to go to work the next day and they had the fireworks at 10 o'clock, so there was a lot of people that were complaining about that. So we got a thumbs up on that.

Traffic Safety Committee Report by Mary Sperr

COUNCILWOMAN SPERR: Okay. Yes. There has been quite a bit of talk tonight about the Walgreens, and, um, what has -- what did transpire at Traffic & Safety, just to follow up and add on to what people have made comments on tonight, Traffic Safety Committee did have representatives from the development company, Betsy Brugg, the lawyer, and Gordon Stansberry (phonetic), who is a PTOE, traffic expert, come and talk to us about traffic to do with the Walgreens development.

And the recommendation that was made by the Traffic and Safety Committee was to not have an entrance and exit out of that parcel onto Paul Road. That is their feelings. They're afraid that you will speed up down the hill and hit somebody as you're coming out. So that is the recommendation they have made. But they're also recommending that the Town have their own traffic study done, that our -- that our engineers do -- perform their own traffic study to see if they get any different results from their own study versus the one that has been done by the developer. Um, it is just -- it is something that -- this would be a time to try this as an example. It has been mentioned before that the Traffic Safety Committee have -- have some of these things done, so that is one of the recommendations. It is in the minutes here.

We also received a letter back from the one I sent to Kevin O'Buckley on behalf of the Traffic Safety Committee. Kevin O'Buckley is the Regional Director from Region 4's DOT office, and it was in regard to the intersection of Union Street and Chili Avenue. We have all been reporting that the DOT is going to design changes to that intersection that include turn lanes and additional signals, and that they -- their in-house design would be done in 2008, construction in 2009. The letter consisted of -- Kevin O'Buckley asked me to put it in writing to him, the conversation that we had, relative to the white lines that are painted at that intersection and how there is a swale there and many cars go around the cars that are turning left or turning to go right or to go straight through that intersection. And some of the traffic, people have been receiving tickets from the Sheriff's department, but I can tell you that if you come off of 490, come up the ramp and take a left to go down to Chili Avenue you can sometimes -- you're lucky you can get off of 490. That is how much traffic is exiting that intersection at that time, and there are other times when there is heavy traffic and it causes a problem. And it is a safety issue.

Unfortunately, the letter and comments from Kevin O'Buckley that we received were not

favorable. They were not able to offer a temporary solution. So I just discussed it again with Joe Carr, and I think we'll probably give Dan Hollowell (phonetic) a call at the DOT. He is the engineer that is going to be working on the design to see if in conversation we can come up with any solutions for temporary ideas for that intersection. I don't know what else to do, and I hope that will help.

COUNCILMAN SCHULMERICH: Do we have any opportunity to work on the timing cycle associated with that light to give the north/south access from Union Street a longer timing cycle than they're currently getting? I got to believe with the programming, they can do that differentially throughout the time of day. I agree rush hour times Union Street is significantly backed up, and all you need to do is extend the timing cycle.

COUNCILWOMAN SPERR: I will make that suggestion. It is a very good one.

The other topic that was brought up at our last Town Board meeting by myself shortly after the accidents occurred on Ballantyne Road, um, the recommendation from Traffic & Safety -- we received two letters asking us to consider putting a guardrail or guide rail, whichever term you want to use, at that curve on Ballantyne Road where the students were killed. So with us not being engineer experts, the recommendation was made by Traffic and Safety to have our engineering company consult with their traffic engineer, go out and take a look at the site and make recommendations back to the Town which would be the best way to improve safety at that intersection. Because while the car was speeding going west on Ballantyne Road, there is also indications that when you're speeding coming -- coming east through that intersection can also be as dangerous.

Joe Carr drove through that intersection himself at varying speeds to test that out, too, for our discussion that night. That will be looked into and we should expect to hear something back from our Town Engineer.

COUNCILWOMAN IGNATOWSKI: Mary (Sperr) if I could, it is not a intersection. It's a sharp curve.

COUNCILWOMAN SPERR: Sorry I misspoke. It's a very sharp curve.

The concern they have about putting a guardrail up is it could send a vehicle into that barn there, too. If it is not in the right place, it could make it a traffic hazard.

COUNCILWOMAN IGNATOWSKI: If I can comment, they have at least made some modification to the signage there. There is now blinking lights on some of the -- there are two signs coming in and they also put a "slow" sign on there. I was wondering if they decide not to do the guide rail concept, maybe even those arrows that you see sometimes on curves where they show you the black and yellow arrows to better delineate that side of the road. That was just a thought, because I seen that in other communities as I was, you know, driving through. I thought that might work, too, if they decide against having the rail there.

COUNCILWOMAN SPERR: Joe (Carr) had put the signs up, our temporary signs up immediately after that, on both -- on both directions.

COUNCILWOMAN IGNATOWSKI: The temporary signs are gone now. They just added it to the curve sign, a "slow" along with a blinking light.

COUNCILWOMAN SPERR: It is better than not having done anything, and I notice a lot of people have slowed down going through there. It has made people aware of the curve.

COUNCILWOMAN IGNATOWSKI: That and the police out there with radar also help people slow down.

COUNCILWOMAN SPERR: Yes. That's about it.

SUPERVISOR LOGEL: I just have one question.

COUNCILWOMAN SPERR: Sure.

SUPERVISOR LOGEL: Did Traffic & Safety discuss at all the Paul Road idea of having them exit the Walgreens with only a right-hand turn? In other words, no left. I have been to several places where --

COUNCILWOMAN SPERR: Yes.

SUPERVISOR LOGEL: -- because of traffic situations like that you can only exit and go right.

COUNCILWOMAN SPERR: Yes. That was a comment brought up, but I think they -- if I remember correctly, Joe (Carr), if you can clarify any of this, if I remember correctly, that recommendation was superseded by the fact they didn't want the entrance or exit at all. That -- the same discussion was had about the Dunkin' Donuts when they were coming into the Mobil, and that is what they have done over there, or they're supposed to be doing over there.

SUPERVISOR LOGEL: Everybody knows I have serious concerns about that curve. I drive it about six times a day, and it is -- it is a very -- it is an accident waiting to happen, I think. When you come down around there and someone is trying to pull left out of Wegmans, I can't conceive someone pulling left out of the Walgreens and all -- and everybody is doing this at the same time, in the middle of a hill on a curve. It's -- it really needs to be looked at.

COUNCILWOMAN IGNATOWSKI: If I could, I mean, there are comments that the Town Board should be doing something about that. I don't think that we can directly tell the Planning Board to do something or not to do something legally. We cannot.

SUPERVISOR LOGEL: We cannot.

COUNCILWOMAN SPERR: My impression in listening to the comment is it is very early in the process, and the design of that building does affect the traffic. They have been told about the traffic. I don't think just because they didn't address it last night as strongly as -- as the audience is recommending, that they're -- that it is any less important. I don't think that they're -- they're just not there at that point yet. They're still discussing design, so I don't know.

COUNCILWOMAN IGNATOWSKI: Also if I could comment, I just had a little note here about snowplowing. Walgreens will be taking care of it.

SUPERVISOR LOGEL: Well, Pikuet will be -- the situation is -- Pikuet will no longer exist. We would have to as a Town Board, and I -- what is the legal term?

RICHARD STOWE: Abandonment.

SUPERVISOR LOGEL: Abandon it, and then it would be their property, private property, they have to maintain for whatever they put in there.

MS. BRIXNER: Without compensation.

COUNCILMAN SLATTERY: Supervisor, I actually had a discussion with a family member of Pikuet, and he was going to be forwarding me information in regards to the family history of the individual that that road was named after. So once I do get that from the family member, I will bring it to the Board, and he was -- he asked if there was a possibility of another road being named after Pikuet.

COUNCILWOMAN SPERR: I had that same thought, once we got to that point.

COUNCILMAN SLATTERY: Once the family member gets me that information, I will forward it to the Board.

Planning and Zoning Boards Report by Dennis Schulmerich

COUNCILMAN SCHULMERICH: Zoning Board met on June 26th with 13 applications. One sign variance was denied. One area variance was approved. There were seven lot line variances. Five were approved and two were denied. Two conditional uses which were approved. One variance for fence height was denied and one building size ridge line variance was denied. And I -- hope you heard the word "denied." And I -- I think we're seeing the impact of what we were trying to accomplish with the Zoning Board. We're starting to see some scrutiny placed upon the applications and done so in a way that is respectable of the applicant but also respectable of our code. And so I think there is some learning that has to go on with the Zoning Board members in terms of their experience.

I think there was some issue around auditory nature and whether or not they can be heard or not. Nothing to do with the recording device. It has to do with the fact they were just quiet in speaking. I had conversations with Mr. Bloser about that. But I -- but I think the Zoning Board is on a good path to taking a look at our code, taking a look at the applications in determining whether or not the applications are appropriate or not.

COUNCILMAN SLATTERY: Counsel, you mentioned Mr. Bloser. That is in regard because he is the Chair.

COUNCILMAN SCHULMERICH: He is the Chair, yes. Not specifically that he was not talking loudly enough, but more that he had -- as Chair has responsibility for insuring that Board was operating. It was his first meeting. I suspect it was -- conversation with him, I suspect it was overwhelming for him, and I thought he did a good job based on challenges he was confronting.

The Planning Board, if I can move on to that, met last night as we have all heard, and there were several applications that were tabled. Walgreens was one.

The other area that was tabled was the apartments next to the church on Union Street.

And the third that was tabled was the one on Buffalo Road that was looking for a professional building in an existing facility.

Um, the process around Walgreens, as we all know, will continue and be tabled until next month and they have many issues to come back in and address.

I clearly heard the concern in the room here tonight. I heard it last night. I talked to Mr. Martin today. I was not present for the specific Walgreens application. Unfortunately, I had to leave early, but I talked to Mr. Martin about the issue with the roads and there will be expectations that Walgreens comes in and answers questions. And traffic being one of them will be based on New York State Department of Transportation expectations and requirements, and the concerns that we have in the Town. So this is -- this is not done yet. We're still in the process, and I understand the frustrations and they will be dealt with.

As far as Architectural Review Board, I met with Mr. Martin and Mr. Brown and Mr. Stowe during the month to try to determine how to move the issue forward around the resolution. Um, the resolution for a local law. And you will see the resolution tonight that reflects the reinstatement of the -- of the Advisory Committee. That was felt to be necessary based on conversation with the group because we need more specificity in the local law around the specific guidelines and recommendations in terms of how the Architectural Review Committee will perform. We didn't have enough specificity and felt that putting the Architectural Advisory Committee back together for a few months would provide that definition to the local law that we need.

I will address Mrs. Borgus' concern, and I will take responsibility for supporting Mr. Cox in his addition to the advisory committee. It is a dilemma that I recognize as such, and I expected it to be raised. I'm glad it was, because it gives me the opportunity to respond that we had three individuals, and only three individuals that have expressed an interest in working on this committee. The three individuals that did express an interest did have background. One of those individuals was Mr. Cox.

So I sit here and say do I -- do I put up with the wrath of the community wondering whether we have nepotism, or do I look at the capabilities of the individual, recognizing his wife is on the Planning Board. He has experience. He would like to work in this capacity as a volunteer, as well. Do we push him away because of his wife or let him work. My

recommendation to the balance of the Board would be to let him work. This is a chance for us to give people a test drive to see how they will work in an architectural advisory environment, and then we have to formalize and put the committee together three or four months down the road, we'll have a chance to look at 8 or 9 people as opposed to 4 or 5. So I understand how you look at both sides of this and say there was error in judgment in allowing an individual whose wife is on the Planning Board to be participant in this. I personally choose not to penalize Mr. Cox because Mrs. Cox also chooses to serve this Town the way Mr. Cox would also like to do so.

The final point I would like to make is around the zoning and planning workshop. I have a meeting being set up with Mr. Bloser, Mr. Martin and Mr. -- Jordon for next week where we will set the agenda items that we would recommend to the Town Board, the format, the facilitation, the expectation in terms of outcome and also how we would use this workshop as part of the required training for both boards for New York State certification requirements in 2007.

I will bring the result of that meeting back to the Board for a proposal and time frame for the workshop. We're looking at four or five-hour workshop at this point that would constitute zoning, planning, Building Department would all be involved. And as we finalize this, I will bring it back to the Board.

COUNCILMAN SLATTERY: Dennis (Schulmerich) if I can ask a question here, with Chris Karelus now involved, should he be involved with that meeting?

COUNCILMAN SCHULMERICH: I don't know if he would need to be involved in this specific meeting, because I'm interested in learning what the Planning Board and Zoning Board believe they need to do the work more efficiently together and what topics they want to have as part of the workshop.

Then what I will do is take that input, I will have another session with Mr. Karelus on the noise ordinance issues, and during that meeting what I will do is go through the plan for the -- for what the topics would be and see how we might want to supplement that based on Building Department expectations. We purposely held off having the meeting with the planning agenda until Chris (Karelus) came on board, figuring we would want him part and parcel as to how this has been put --

COUNCILMAN SLATTERY: Thank you. Appreciate it.

SUPERVISOR LOGEL: This workshop would be so that the members can all make it, like evening or -- because --

COUNCILMAN SCHULMERICH: That will be the challenge, yes.

SUPERVISOR LOGEL: Because the question has come up to me a couple times now why a couple members or new members of the Zoning Board have not signed up for workshops and there is one on the agenda tonight for a -- for a training session, and we contacted one gentleman, and unfortunately, he just doesn't have any days left that he take off work, and so far all of these are work -- during the workday. So we basically told him, because you now have to do this by law, that he needs to make arrangements in advance to take a day this fall so he can do that.

The other gentleman, Mr. Cross, has had a lot of this through the County and we have his certification papers, so his name -- we have just got to find out whether the points that he has got are adequate to meet -- if they're enough to meet the State or if he still needs to make up a couple.

COUNCILMAN SCHULMERICH: We would be looking at the timing -- obviously with the number of people we're talking about here, there would be scheduling challenges, no doubt, but we will be looking for a time probably in the evening or a weekend where we can put a 4 or 5-hour block together in one sitting as opposed to trying to do it over multiple meetings which are even more difficult to put together. I suspect we won't have 100 percent attendance because of the number of people, but we'll work with everyone's schedule to the best of our availability to get it all covered.

MATTERS OF THE SUPERVISOR:

SUPERVISOR LOGEL: Under Matters of the Supervisor I would like to bring up the zoning map updates. RLB sent over actually today, it arrived on my desk late this afternoon, the preliminary maps to be reviewed to see how -- if there is any corrections or changes, they match everything that we have got on record in resolutions and the old, you know, so has to be gone over. So that is moving along.

I would like to address here, I think, Joe (Carr), the flower bed by the library. I mean, I know we have Chris -- it is Chris doing most of the flower beds.

JOSEPH CARR: We are behind. It is my responsibility. This matter will be taken care of in the next couple of days. It will be done.

SUPERVISOR LOGEL: Okay. And as far as the video system not being used, I will talk with Chris (Levey) about that. I think now that he is on line, he will be able to encourage people coming into planning and zoning to use that more efficiently. Maybe we can work on that with the video system, the overhead.

Mr. Rettig asked a question about the cable provider. We are providing a tape of this meeting to Channel 12 and it's available through the library and through the office. That's -- actually there is no law that says we have to provide that or even have to have it. So -- so that is where it is available.

Let me just see what other things came in here, if I can address them now.

Memorial Day, I just want to say, I agree with Mr. Brixner's pictures, that I think it is unfortunate that we were in the process of having the roof replaced and they were doing asbestos, which is why the windows were taped up. I do agree that they looked pretty ugly, and I think that if we can go back and change what we had known, that they were going to be left in that

state for that ceremony, we could have made some other arrangements, but unfortunately with them half falling off the windows it doesn't look very good, and I agree with you completely and I thank you for taking those pictures. But it was unfortunately bad timing for when they were doing the roof and the Memorial Day taking place -- and -- ceremony.

I know it was well-attended, and I think that people were well aware what the dumpster was there for. But it was put there by the contractors. It wasn't something that we selected and said, "Oh, well, you know, let's put it there."

It was done for the convenience of those removing the asbestos and the roof.

But thank you for bringing those pictures in.

COUNCILMAN SLATTERY: Supervisor, if I can, in regards to that, I know it was a difficult day with some of the obstructions we had out there and the sound system, and unfortunately that did take place, but having a talk with someone in regards to the purpose of that day, I guess that is something that we shouldn't lose sight of why we had that day, why we had that -- the parade and so forth and the wreaths. And I think we need to touch on that. That is more important than the dumpsters or the items over the windows.

So I just want to say thank you to you gentlemen. I know the sound system, there was -- it was a challenge for you, but when you look at the -- what the message was and the purpose of that day, so -- I just want to say thank you and I appreciate your doing that.

SUPERVISOR LOGEL: I just like to say one thing. There has been no other criticism of that day. I have not heard anything from anybody in the public about it other than the comments that were here tonight that -- everybody thought it was a great ceremony and they all appreciate that banner.

Sir?

TOM SCHRECK: I didn't put my name down on the list, but a quick note. Even though we had our technical difficulty that day along with the water break when the parade was lining up, the banner that ended up coming down, we still ended up going along with that and the sound system dying on us, I must comment the citizens of this Town of Chili, the respect that they did show that day, even though nobody could hear the words that we were trying to give -- we had the Chaplain give the words. We had a historian give a poem from a serviceman that he wrote years ago, and my own address as the Past Commander of the Post. This is my third and final year as Post Commander for this program that we put on. Looking around, knowing that nobody could hear us, everybody still stood silently with respect for the purpose of Memorial Day, and it is to honor those that have given the ultimate sacrifice, and that I congratulate the Town of Chili.

SUPERVISOR LOGEL: Thank you.

COUNCILMAN SCHULMERICH: One comment. I might suggest to the American Legion that their interest in having the banner up prior to Memorial Day was -- was a -- was a good one, but there may have been some intervention beyond all of us that allowed that to be brought down, because I believe it being carried in the parade was far more moving and meaningful than having it placed on the posts.

COUNCILWOMAN SPERR: I have to agree.

COUNCILMAN SLATTERY: Not to mention the tragedy that did take place the night before, that was involved with a lot of the Fire Department and so forth.

SUPERVISOR LOGEL: Mr. Craig.

MR. CRAIG: On another point, next year, we are going to read the names of all the service men that were killed during time of war or hostile conditions. So that will be part of the program next year. We will have a plaque made with all of the names on -- back to the War of 1812. So there is only 39 names, I think. But they should be recognized. We're going to start doing that next year.

SUPERVISOR LOGEL: Thank you.

Any other things under the Matters of the Supervisor?

The 6/6/07 Town Board meeting minutes were approved as modified.

CORRESPONDENCE:

1. Mr. Brongo received a resignation letter from Peter M. Widener, Chili Historic Preservation Board.
2. Supervisor Logel has received a letter from William Clark, Assistant Director Facility Operations at the University of Rochester requesting an amendment to our zoning ordinance to permit a parking lot in a GI District.

SUPERVISOR LOGEL: At this point in time we asked them to provide us with more information and more detail before we make any decisions on that.

3. Supervisor Logel has received a letter from the State Assembly of New York James Tedisco's office regarding the NYS Property Taxpayer Protection Act.

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: There was a comment from the audience.

SUPERVISOR LOGEL: There was a comment. Was it a question?

COUNCILWOMAN IGNATOWSKI: The question was why are we having to pay for this if we already have assessment staff.

SUPERVISOR LOGEL: This is a service --

COUNCILWOMAN IGNATOWSKI: I know the answer, but -- but I was looking for you to provide it for the person.

SUPERVISOR LOGEL: Mr. Piquet I think asked the question why we are engaging AVS Assessment Services, and this is something that we do under the reimbursement we get from the State, and we -- we are reimbursed for some of -- of our assessments if we do them on a yearly basis, and we need the professionals to do this for us, so it is something we have done for years and years and years.

And in addition, I will address the next one, the six-year term is the way they run. The terms for Assessors are six-year terms.

COUNCILMAN SLATTERY: Set by New York State.

SUPERVISOR LOGEL: Right.

COUNCILWOMAN SPERR: Yes.

RESOLUTION # 212 RE: Periodic Assessment Roll Update

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

WHEREAS, the Town of Chili has, according to New York State law, undertaken its periodic update of its assessment roll to maintain equity, and

WHEREAS, the Assessor has recommended the Town of Chili engage AVS Assessment Services,

NOW, THEREFORE, BE IT RESOLVED, that the Supervisor be authorized to execute a professional services agreement with AVS Assessment Services to assist the Assessor with the Annual 2007-2008 Assessment Equity Program at a cost not to exceed \$12,200, and to include **OPTIONAL** additional man days IF needed at a rate of \$475 per day up to 10 days maximum.

BE IT FURTHER RESOLVED, that the project budget shall be established at \$27,200 and expenses paid for from NYS maintenance aid from budgeted funds allocated to the project.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I think Linda Leach does an excellent job for us, and I would like to commend the service she has provided to this Town. There are many towns who have had repeated problems year in and year out. Look at what has happened in the Town of Greece. We're very fortunate to have an Assessor of her caliber working for us. That's just the comment I want to make.

SUPERVISOR LOGEL: She is highly respected amongst her peers and received several State awards for that.

COUNCILMAN SLATTERY: Granted she is in a position that isn't very friendly. It is like being the tax collector. I know Mr. Brongo... who is not here tonight.

RESOLUTION # 213 RE: Reappointment of Linda Leach as Assessor

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

WHEREAS, Real Property Law 310 requires that the Town Board appoint an Assessor every six years, and,

WHEREAS, the six year term of Linda Leach as Assessor expires on October 1, 2007.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili hereby appoint Linda Leach as Assessor for a six year term from October 1, 2007 through September 30, 2013, and,

BE IT FURTHER RESOLVED that the State of New York Office of Real Property Services be notified of such reappointment.

UNANIMOUSLY APPROVED

**RESOLUTION #214 RE: Letter of Credit Release
For Parklands at Chili - Phase II Release No. 4 - Final**

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that per recommendation of the Town Engineer, the remaining balance of \$8,050.00 should be released from the letter of credit with Canandaigua National Bank (CNB1101354703) for Parklands at Chili – Phase II, leaving a balance of \$0.00; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

**RESOLUTION #215 RE: Letter of Credit Release
For Black Creek Woods, Section 3 Release No. 4 - FINAL**

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that per recommendation of the Town Engineer, \$55,903.55 be released from the letter of credit with M&T Bank (#SB-905336-2000) for Black Creek Woods, Section 3, leaving a balance of \$0.00; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

**RESOLUTION #216 RE: Letter of Credit Release Park Place, Section 6
Release No. 4 Final**

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that per recommendation of the Town Engineer, \$71,640.15 be released from the letter of credit with CNB (1102515514) for Park Place, Section 6, leaving a balance of \$0.00; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

**RESOLUTION #217 RE: Agent for the Chili Fire Department Fire Service
Award Program**

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich

WHEREAS, March 2, 2005 Resolution #130 authorized a financial and investment service relationship with David Rogers of the LOSAP Group; and

WHEREAS, David Rogers utilized the payroll company Ceridian to prepare the monthly LOSAP payments; and

WHEREAS, David Rogers wishes to terminate services with Ceridian and utilize Comerica Bank and Trust Company;

NOW, THEREFORE, BE IT RESOLVED, Supervisor Tracy L. Logel is authorized to sign the necessary forms required for the transfer of the agent subject to the approval of the Counsel for the Town.

UNANIMOUSLY APPROVED

RESOLUTION #218 RE: In Honor of Bea Wilcox

OFFERED BY: Supervisor Logel

**SECONDED BY: Councilwoman Ignatowski
Councilman Schulmerich
Councilman Slattery
Councilwoman Sperr**

WHEREAS, Bea Wilcox served as Chili Town Historian from 1972 – 1985;

AND WHEREAS, Bea Wilcox served as Deputy Supervisor in 1992;

AND WHEREAS, Bea will be remembered for her dedication, service and the sharing of pertinent information between herself and our Town Residents;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili hereby extends their deepest sympathy to the Wilcox family and also sets aside this special page of their minutes from this Town Board Meeting in her honor and takes a moment of silence in Mrs. Wilcox's memory. The Town Clerk is hereby directed to send a copy of this resolution to the family.

UNANIMOUSLY APPROVED

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RESOLUTION #219 RE: Authorization of Attendance at Training Conference

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Schulmerich

BE IT RESOLVED that Chris Karelus, is hereby authorized to attend the training conference on Zoning, Subdivision and Land Development Law, to be held at the Crowne Plaza Rochester, New York, on July 25, 2007; total expenses are not to exceed \$339.00 account A3620.4.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: I do appreciate you investigating why some of the Zoning Board members couldn't attend this.
Thank you.

SUPERVISOR LOGEL: Well, I was concerned.

RESOLUTION #220 RE: Authorization of Attendance at Training Conference

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich

BE IT RESOLVED that Paul Bloser, Chair of the Zoning Board of Appeals, is hereby authorized to attend the training conference on Zoning, to be held in Geneseo, New York, on July 26, 2007; total expenses are not to exceed \$60.00 plus mileage account A80104.4.

UNANIMOUSLY APPROVED

RESOLUTION #221 RE: NYS Taxpayer Protection Act

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

WHEREAS, The tremendously high property tax burden on New York families and businesses is the number one issue facing our community today, and the sheer cost of living in New York has forced many residents and businesses to leave, thus slowing the economic engine of the state; and

WHEREAS, Young people are finding it difficult to purchase homes, seniors are struggling to maintain their homes, and businesses are facing immense challenges to create and retain jobs; and

WHEREAS, New Yorkers face the highest property taxes in the nation, and when measured as a percentage of home value, nine of the top 10 property tax rates in the entire country belong to counties in New York; and the State must act now to thwart the detrimental effects that high property taxes are having on local governments; and

WHEREAS, Assembly Minority Members have introduced the "New York State Property Taxpayer Protection Act (Assembly Bill 8775)," which puts forth new and innovative ideas for property tax reform that limit the amount school districts can raise annually through local tax levies to four percent or the rate of inflation, whichever is less; in addition the Act would relieve municipalities and school districts of unfunded mandates, reduce county Medicaid costs, strengthen financial accountability over school tax dollars, promote local government efficiency, and encourage local option insurance pooling; and

WHEREAS, The "New York State Property Taxpayer Protection Act" will help fix New York's broken property tax system, providing homeowners, businesses and municipalities significant and lasting relief from the crushing burden of skyrocketing property taxes; and

NOW, THEREFORE, BE IT RESOLVED, That this Legislative Body pause in its deliberations to acknowledge New York State's property tax crisis and urge the immediate passage and chaptering of the "New York State Property Taxpayer Protection Act," which will help local governments reinvigorate New York's economy by providing incentives for people and businesses to move and stay here; and

BE IT FURTHER RESOLVED that a copy of this Resolution suitable engrossed, be transmitted to the Governor of the State of New York, the Temporary President of the New York State Senate, the Speaker of the New York State Assembly, and to each member of the New York State Legislature.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Actually, Supervisor, I would just like to thank Dennis (Schulmerich) for his comments earlier. I think that was very well-spoken, and I did have a conversation with a few of the people that are involved with this, so I just want to thank you for your time and their commitment to this.

As some may know, there -- they're not getting any stipend for being involved with this committee. It is additional volunteer work. So I just wanted to make that point.

COUNCILMAN SCHULMERICH: Appreciate your comments.

RESOLUTION #222 RE: Architectural Advisory Ad Hoc Committee

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilman Slattery

WHEREAS, the Town of Chili Board by resolution #108 adopted on January 17, 2007, established the Architectural Advisory Ad Hoc Committee, and

WHEREAS, the Town Board received a report from said committee on March 15, 2007 recommending further action, and

WHEREAS, the Town of Chili Board has received indications of interest from additional citizens seeking to assist the Town in its pursuit of such a committee,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

(1) That the Architectural Advisory Committee Ad Hoc Committee be reconstituted to include additional members, Douglas Gloff, Matt Emens and Daryl Cox.

(2) That said Ad Hoc committee be charged with developing, in concert with the Town's legal counsel, suggested guidelines criteria, time frames and procedures for the conduct of permanent Committee's operation; said items to be included in the proposed Local Law to be considered by the Town Board.

(3) That the Ad Hoc Committee's report to the Town Board be delivered to the Town Board on or before November 30, 2007.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I'm happy to see that we're taking the time to investigate alternatives and finding one that is highly -- comes highly recommended that will actually save our Town a couple thousand dollars by switching to a different payroll service.

Thanks, Dianne (O'Meara).

RESOLUTION #223 RE: USA Payroll

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

WHEREAS, January 3, 2007 Resolution #19 authorizes the town to retain Paychex to process payroll checks, deposit payroll taxes, prepare quarterly and year-end payroll reports and W-2's; and

WHEREAS, the Director of Finance, Payroll Clerk and Director of MIS met with various payroll companies to review pricing and services;

NOW, THEREFORE, BE IT RESOLVED, upon recommendation of the Director of Finance, Payroll Clerk and Director of MIS, the town shall retain USA Payroll effective pay period 18, 2007 to perform payroll processing, reporting and tax services.

UNANIMOUSLY APPROVED

RESOLUTION #224 RE: June 20, 2007 Abstract

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Schulmerich

WHEREAS, January 3, 2007 Resolution #1 authorized vouchers to be paid June 20, 2007 by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 2735-2909 totaling \$68,310.38 to be paid from the Distribution Account as presented by Richard Brongo, Town Clerk

NOW, THEREFORE, BE IT RESOLVED, to note for the record vouchers 2735-2909 were paid from the following funds:

General Fund	\$ 44,952.39
Highway Fund	\$ 20,986.79
Consolidated Drainage	\$ 1,420.00
Special Light Districts	\$ 951.20
Total for Abstract	\$ 68,310.38

UNANIMOUSLY APPROVED

RESOLUTION #225 RE: July 4, 2007 Abstract

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

WHEREAS, January 3, 2007 Resolution #1 authorized vouchers to be paid July 4, 2007 by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 3147-3318 totaling \$135,341.80 to be paid from the Distribution Account as presented by Richard Brongo, Town Clerk

NOW, THEREFORE, BE IT RESOLVED, to note for the record vouchers 3147-3318 were paid from the following funds:

General Fund	\$107,771.41
Highway Fund	\$ 26,316.82
H43 2006-7 Annual Update	\$ 403.69
Consolidated Drainage	\$ 849.88
Total for Abstract	\$135,341.80

UNANIMOUSLY APPROVED

SUPERVISOR LOGEL: I just like to comment that this evening we had in our -- here helping out the professionals from the sound system for this building, and I'm hoping that -- I saw you with due diligence back there listening very carefully, and I'm hoping that we have finally succeeded in finding out what the problem is.

UNIDENTIFIED AUDIO TECHNICIAN: The feed going into the video camera is nice and clean, so we should have good sound.

SUPERVISOR LOGEL: Thank you, sir.

The next meeting of the Chili Town Board is scheduled for Wednesday, August 1, 2007 at 7:00 p.m. at the Chili Town Hall meeting room.

The meeting was adjourned at 8:10 p.m.