

CHILI TOWN BOARD
August 6, 2008

A meeting of the Chili Town Board was held on August 6, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

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

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

The invocation was given by Richard Brongo.

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

PRESENTATIONS/ANNOUNCEMENTS:

MR. ROGERS: David Rogers. Thank you. I have eight folders to pass out. Just hand them up here? Is that the best thing.

COUNCILMAN SLATTERY: Depends what is in them.

MR. ROGERS: Put you to sleep.

(Laughter.)

MR. ROGERS: Thanks for having me, everybody. My name is Dave Rogers. I'm an investment advisor with RBC Wealth Management in Albany, New York, and I was retained three or four years ago to help with the length of service work program for your fire fighters.

I'm here tonight to, I guess, to discuss a proposed investment policy statement for the investment account. And since I haven't ever met with the Town Board before, if it's appropriate, I would like to do my quick dog-and-pony show to let you know who I am and why we're asking you to do this, okay?

By way of background, RBC is the eighth largest investment firm in the country. And we're doing great right now, actually. We have not gotten caught up in all of the Wall Street stuff that is going on.

Myself, I have been in the investment management business for 25 years. Um, I have been managing LOSAPs for almost 20. I have got 150 accounts around the State of New York, and pretty much all these accounts are managed very similarly, so what I'm asking you to do tonight I have been asking all my other customers to do throughout the time, as well, so you're not alone in this, okay?

It's probably most appropriate if I can ask you guys to open up your folders. I know there is a lot of information in there, so I will just kind of go through some bullets to let you know what I'm asking you to do.

On the left-hand side, on the top you will see a portfolio performance report, and just by way of review, you guys have been working with me at RBC since July of 2005. I thought this might add some comfort, is we're not down this year in our investment accounts. We're not making a lot of money either, but you know how difficult it is right now.

For the last three months ending in June, we're up almost a percent. Last six months, about the same. Last year, we earned 7.89. We're averaging 6.43 for roughly the last three years. We have a targeted rate of return on this account is 6 percent right now. That is what this investment policy statement is about tonight.

After that, you will see a couple of pieces of paper regarding the Center for Fiduciary Studies. Over the holidays last year, I spent a lot of time getting some training and passing some exams on a couple of things. The Center for Fiduciary Studies an organization that has been around for over a decade now. It's a group of CPAs, attorneys, financial people that are putting together best practices for fiduciaries and those of us who serve fiduciaries. And if any of you have any background, it's hard to find that.

In what we're dealing with tonight, you really need to operate your investment account according to the approved mand rules. What does that mean? There isn't anything out there that says, "Here is what you need to do, your fiduciaries, to implement these things. So the Center for Fiduciary Studies is becoming more mainstream, and I took all of the training and courses, and not quite as intensive as a CPA, but similar in that there is continuing education in all these fiduciary issues. So I have that background.

And the best thing about it is about three years ago, they put a software platform in place where I can go in and I can plug in your data, the Town of Chili and those -- the types of plan you have and those type of things, and in there, and again, if you flip another couple pages you

will see the sample investment policy statement I propose. And I forwarded it to Dianne (O'Meara), and I'm assuming that has gotten to all you over the last, you know, month or so.

If I can ask you to flip to the last page, you will see a table there. And the table lists a number of asset classes, being stocks and bonds and things like that, with their expected rates of return overtime. This is all done historically. Not yesterday but over many, many years, and also what kind of risk is associated with those. So what I can do with the Center for Fiduciary software is I can go in there and I can plug in let's say your 6 percent. And then based on that table there, it recommends an allocation as to what you need to do over time to get the 6 percent. Okay?

Once you pick that, there is the sample investment policy statement. That feeds all of that data into this investment policy statement. I have never been able to find anything like this anywhere else. So again, it's not legal, it's not gospel, but it's best practices, and I think it addresses all of the things that we should be doing together as fiduciaries of this plan. What it really results in, we have been managing a portfolio for you that is 30 percent stock, 70 percent in fixed income.

When you blend those together that way, you end up with a 6 percent rate of return over time, and that's where we are. Most all of my accounts, except for a couple are at 6 percent, so again, we manage all of these very similarly.

Um, and in the grand scheme of things, most pension plans are 60 percent stocks. We manage these very conservatively. We have learned the hard way over time. Municipalities have typically not seen anything like this. They're rolling money in bank CDs, so you don't see -- these type of things have some type of return volatility, but in the grand scheme of things, it's still very conservative versus what is out there, okay?

So the other thing that this investment policy addresses is how do you monitor the progress, and we have been providing the Town, through Dianne (O'Meara), monthly investment statements and quarterly performance reports. I will show you something else we have been providing for the Town on the other side of your folder. But that is the background where it came from. I think is well thought out. It works for your plan. Um, and for whatever it is worth, you can have all of the input you want into this. All right?

And probably the primary discussion you want to be having is what do you want your allocation to look like. To be frank with you, most of my customers, if not all of them have said, "This is what we think you do, Dave, go ahead and do it."

But the ramifications could be if you wanted me to make this more conservative, let's say you do want to go with banks, we can do that. The ramification is that we're going to earn less over time. We're going to have to assume we're going to earn less over time, and as a result of that, your annual funding costs are going to go up. That is that tight rope we're always walking, you know, what do we want to try to earn versus how much you want to contribute or what needs to be contributed into this plan over time.

So again, 99 percent of my customers have been at 6 percent. They're comfortable with that. We will not earn it every single year. We don't need to, but as long as we -- the markets do what they have always done, over time -- there are bear markets and bull markets, we should be able to earn 6 percent.

I have spent a lot of time trying to manage the risk in the portfolio, too, which we can talk about, as well.

So any questions related to that?

COUNCILMAN SLATTERY: Actually, I do. You -- can you just explain for the audience, Number 1, what LOSAP means?

MR. ROGERS: Sure.

COUNCILMAN SLATTERY: I mean, they don't have the information we do, and I think if -- if you would just help them out with that.

MR. ROGERS: Thank you. It's our jargon, so I apologize for that. LOSAP stands for Length of Service Work Program. And a brief background on it is in 1989, New York State passed legislation allowing for these programs to be put in place which is to benefit your volunteer fire fighters and EMTs. It is an incentive program. Like all things in life, people are having volunteering, and in emergency services, it is acute because it is a full-time job.

So they put these programs in place. They have been very popular throughout the State of New York. Your particular type of plan is called a Defined Benefit Plan where you're providing \$20 per month per year of service. They have to be active. There is roles they have to perform, certain duties each and every year, so it is not something you just give them.

I think it has worked. I can't tell you people are knocking down doors to volunteer for these, but it does keep people in the departments and keeps them active.

COUNCILMAN SLATTERY: Thank you. I appreciate that.

The second question I would have is you mentioned that have you been providing this information to Dianne (O'Meara) and the Town. How long have you been providing that information?

MR. ROGERS: Well, since we started. The information has been coming to you on a monthly basis, monthly statements, quarterly performance reports. Some of these Morningstars less frequently, about once a year, what I'm going to show you now.

COUNCILMAN SLATTERY: So time wise then?

MR. ROGERS: Three years.

COUNCILMAN SLATTERY: Okay. Thank you. Just want to -- you know, it's not a week, it's not a month or so forth. It has been an extended period.

COUNCILWOMAN IGNATOWSKI: Should I ask my questions about the policy statement itself at this point, or do you want me to address them later?

MR. ROGERS: No. I can answer them right now.

COUNCILWOMAN IGNATOWSKI: I know I went through when I read this and I it had -- something stood out. I was kind of surprised to find out that Town Board was responsible for these decisions, and that was news to me. Um, and never -- as Michael (Slattery) has alluded to, we have never received this information to even begin to be a part of that decision-making process.

So I guess from this point forward, we would anticipate getting all this information that has been coming into the Town Hall shared with us, because that is kind of a responsibility that I was not aware that we were -- you know, a part of.

So -- so first thing I had highlighted is "encouraging effective communication between us and all parties involved."

That sounds like something that is being taken care of at this point. How to monitor and supervise all these service vendors. I will be the first to admit -- I have my own 401-K, that sort of thing, but I'm not a real expert on this. So I would feel most comfortable looking for guidance from you. I don't know if that is the same position the rest of the Board carries. I will take a look at the information, but that is something that I was a little concerned about, is having that, um, to be our sole responsibility.

And also, it says here, "Advisor is responsible for guiding the Board through a disciplined and rigorous investment process to enable the Board to meet the fiduciary responsibilities outlined above."

I guess what exactly is that process? Is it meeting with us once a year or just the information being given to us?

MR. ROGERS: It's both. It can be anything you want. Again, giving the information to Dianne (O'Meara), and the Town. We have met with Dianne (O'Meara) at least once a year, probably more frequently, with the firefighters, as well, so it is reviewed.

Keeping these things in the file, so if anybody ever asks you, you show them a copy of the due diligence. You know, even if it is in the file, you can say, "Here is what we're getting so we know how we are doing."

These are the things we give to you, so you can at least prove that you got the data that you needed.

COUNCILWOMAN IGNATOWSKI: There was another statement down there, "If the Municipality judges cash flows to be insufficient to bring the Plan within the target allocation."

Who will be deciding on the cash flows? I mean that is -- once again, I have no idea. That is going to have to be information given to us in some fashion.

MR. ROGERS: I have another proposal tonight which may help that conversation, which is basically, um, I -- once again, I got a license and training where -- and not everybody is able to do this, but I can have legal discretion to manage portfolios, okay?

And there is a couple benefits of doing that. It changes the relationship a little bit, and it also changes the way you pay me, which I'm going to show you that in a minute.

Basically it is fee-based portfolio management. And I have the legal discretion then to make all of those investment decisions. The positive parts for you is that because I have the legal discretion, we have more fiduciary liability and RBC has more oversight of the -- of the account and how that is managed.

And people ask me all of the time what does that mean? I honestly don't know exactly, but as an example, let's say, for instance, we had an investment policy that says 30 percent stock and 70 percent bonds and something wasn't going very well, and through your, you know, what we have been giving you, you find that we're 70 percent stocks, you know, obviously there is recourse against that error, it's clear. So it puts more legal responsibility on us.

The other part of it is, managing the fee-based accounts, it opens up some avenues to me that I didn't have before and probably the easiest way to explain this -- we all know who Vanguard is. They're known for their low-expense ratio funds. Well, they don't pay brokers, so I can't buy them from a commission-based account, but if you pay me a fee, I can put those kind of things in there.

So right now, just to get into this a little bit, you basically pay me a commission, and in each one of the mutual funds I have is what is called a 1.2 B 1 fee. So there is no load in or load out, but there is an extra expense in there, and that is how I get paid. It's on the average three-quarters of a percent, okay?

And in a fee-based account, um, I buy institutional-priced mutual funds, so that the internal expenses go down by about three-quarters of a percent.

And again, I can open up some other things like the Vanguards and things like that I didn't have access to before. If you follow the markets, you may know a term called exchange-traded funds or ETFs now. And these are index funds that trade on the exchanges. Now there are tons of them out there. You can buy and sell almost anything now on the exchange. And a commission-based account, you have to pay me a commission. I have never done it.

Now with the fee-based account, I can buy and sell, do this all day long, no fees, no commissions, no nothing, just that one fee that I get paid. So it puts us more on the same page. So I'm proposing that you pay me the fee, now, give me the legal discretion over the account, give us more of that fiduciary responsibility. I'm the one that is managing the cash flows. That is the bottom line.

So from Penflex, who is your Administrator, they give me 5 and 10-year projections of the

cash we need, so I always have money in the account. We have never had to sell anything. You know, we manage that. If you look at more specifically at some of the information I am giving you, you notice we have CDs coming due for the next six or seven years that are designed to match the cash flows, the liabilities that we have, and then the rest of the portfolios are in the funds or things like that that we put in there for the long run. So there is all that method. Everything is actually being given to you.

The other thing you will see, if you look at the performance report, there is an asset summary in there, and then the last couple of pages, what's called a bond maturity report which shows how much money you have coming due in each of the next number of years. So all this stuff has been given to you to help you understand how you're doing, if you want to understand that, and have somebody like Dianne (O'Meara) who is obviously working with us on a more regular basis that oversees this stuff with me, as well.

COUNCILMAN SCHULMERICH: So if you take a look at the most conservative approach, which is essentially 100 percent fixed income, um, typically that is 5 -- 5, 5 1/2 percent yield today, somewhere in that range.

MR. ROGERS: Probably lower than that.

COUNCILMAN SCHULMERICH: So with the 70/30 splits you have got, you got us around 6, 6 1/2 percent, somewhere in that range. You're talking about switching a relationship where you would have additional responsibility. I'm assuming that what would come with that is additional risk and potential for higher return?

MR. ROGERS: Doesn't change anything with the investment policy statement. It wouldn't change what I'm doing at all. We would still have the same 30/70 mix unless you wanted to change it. And then whatever you decide, I would just manage accordingly. All that would happen is we would end up -- you would pay me three-quarters a percent, is what I quoted you. We would replace the current funds with -- they're not exactly the same. Mostly the same funds, but with a couple of additional things in there that would have three-quarters percent lower expenses, so that's a wash. I just keep doing what I'm doing with the additional oversight responsibilities.

COUNCILMAN SCHULMERICH: The thing that concerned me a little bit was you had all of the decision rights in terms of what the -- what investments were made. I'm not an advocate of a higher percentage of -- higher-risk investments. I'm very much -- for the purposes of this particular fund, I'm very much supportive of a high percentage fixed income.

MR. ROGERS: I agree.

COUNCILMAN SCHULMERICH: I would be nervous about signing that responsibility over to an outside agency that enabled them to make a percentage change without review by Director of Finance or the Town Board.

MR. ROGERS: There is two parts of that, that addresses that concern. One is the investment policy statement. I'm asking you to sign it. I sign it. That is our agreement that we're going to allocate assets in such-and-such a way.

The other part of the fee-based agreement you have with me -- and you can hire me and fire me any time you want to. There is nothing that locks it in there. There is a questionnaire that identifies the risk we're going to take and sets limits on that just like the investment policy does. So that's something we define up front, technically you define up front, and I'm obligated to follow that. And the only way that would change is if we have a similar conversation down the road. We have had to have it. I mean 10, 15 years ago we were at 8 percent. We were getting CDs at 8 percent. We had to change it.

You know, what happens if rates go to 2 percent again tomorrow. You know, we have to have that kind of dialogue. And my customers, if you ever ask around, we have always had that open dialogue with the customers. They rely on me, and then Penflex is your actuary, would bring those issues to you. Hopefully we wouldn't have to. But if and when those things need to be discussed, that's what we'll do. And if we have to change the investment policy statement, we will. If we have to change the allocations, we will. We have that flexibility to do any of that at any time we need to.

COUNCILMAN SLATTERY: You mentioned other customers. Do you have other customers in Monroe County?

MR. ROGERS: We have got, you know, a dozen. We have got the majority of the cases, probably. You know, I will throw a couple of names. Henrietta Fire District over here. Um, Laurelton, Point Pleasant, North Greece. Um, you know, I just got to think through it. There is probably a dozen around here.

COUNCILWOMAN SPERR: I just wanted to make a couple of comments and ask a quick question. I appreciate all of the information you have provided us tonight. It is refreshing to see this type of level of detail that we haven't, as Councilwoman Ignatowski mentioned earlier, we haven't seen before.

You may have said this in all of your comments. Do you say how often you meet with the Fire Department? Is it just yearly?

MR. ROGERS: Well, we're frankly willing to meet any time you want to. I mean obviously what you find out is this things kind of runs itself after a while.

We have met with Dianne (O'Meara) at least once a year. Usually it comes up where I give a call to Dianne (O'Meara) or she calls me and says, "We need -- we have this issues we need to go through," so we meet with a couple representatives of the Fire Department, and Dianne (O'Meara), and go through the same kind of stuff we're going through right now.

COUNCILWOMAN SPERR: So at the time you hold that meeting, would it be

appropriate to include us in that and do it kind of all in one meeting? I think it would make all of us more comfortable to have the opportunity to listen in and ask questions should we see fit.

MR. ROGERS: You might find you add on to that to have a representative from Penflex. They're the actuaries. They have the huge binder with all of the data of the plan. It helps to have both of those conversations at the same time.

COUNCILWOMAN IGNATOWSKI: Mary (Sperr), you took my last comment. On a timely basis, is it annually, to meet with us to give us that review. I'm assuming and you just mentioned that you did do that annual review with Dianne (O'Meara), and that process sounds like because of the policy statement, it will have to be all of us. That is why I was kind of surprised to see the Town Board. I always thought it -- it was a Dianne and perhaps the Supervisor's decision. I was surprised it involved all of us.

COUNCILWOMAN SPERR: I'm assuming if you're going to meet with the Fire Department people, maybe meet all at the same time and we can hear the questions that they may raise and concerns or positive things that they have to say all at the same time.

MR. ROGERS: The reason I'm pushing this harder now than I have, there is now this new audit requirement. In the real world, outside of fire departments and municipalities, if you're a qualified pension plan, ERISA plan, you have to have investment policy statements and those kinds of things, and we're trying to bring that -- even though it's not a qualified plan, we're trying to bring those types of, um, you know, fiduciary responsibilities to our customers. So, you know, it's not a requirement. I think it's a good idea. The auditors are going to look for it.

And we're the only vendors out there that do anything like this for our customers. It is technical and can be complicated. Our clients rely on us to, you know, provide these things, and frankly, I really appreciate the trust. And what I'm trying to do is, that is not necessarily always in your best interest, so let me do things, give you things that you need so that you are fulfilling your requirements, and even if they're just in the file, it's there.

So I can be finished, if you want. Also, I can just show you the two -- the different, the two different fees in the reports on your right-hand side. So either way.

SUPERVISOR DUNNING: Are we comfortable? Do you want to proceed with that?

COUNCILMAN SCHULMERICH: I don't believe I know enough to get into a fee-based discussion. I would like to look at the information, look at the proposal and then possibly have another meeting.

COUNCILMAN SLATTERY: Correct. I agree.

COUNCILWOMAN SPERR: Okay.

COUNCILWOMAN IGNATOWSKI: We're not voting on this tonight.

SUPERVISOR DUNNING: No. We're not voting on this tonight. I think we were anticipating perhaps in September.

DIANNE O'MEARA: Right. We do have on the agenda the resolution for the investment policy. To entertain that. If you had any questions about that while Dave Rogers was still here, but as far as the fee-based program, no, that's -- that's something that is just come up.

COUNCILWOMAN IGNATOWSKI: Would that change at all? I thought you indicated any cash flow question would be modified if we -- if we went the alternate route.

MR. ROGERS: Doesn't really change that at all. The cash is in the account. I have cash. It doesn't really change that at all.

COUNCILMAN SCHULMERICH: Again, I don't have a problem with the resolution for tonight. It is more the fee-based issue that I would further defer personally.

RICHARD STOWE: Can I just ask one question while you're still here? This may help you in your deliberations on the two different ways. The investment policies, as I read it, sets the parameters, and your conservative and risk appetites, and I have no quarrel with that.

To -- to boil down the discussion on the how you're paid, I have heard it's three-quarters of one percent here and the other way, it's just essentially a wash. Why change?

MR. ROGERS: Because again, we have the added fiduciary responsibilities. I have no legal discretion. The technicality the way it is now, I should be calling Dianne (O'Meara) up and say, "This is what I want to do, Dianne (O'Meara)," and Dianne (O'Meara) should come to you and say, "Okay," so two months later we actually get a decision. So, in effect, that is the real difference.

RICHARD STOWE: That's what I heard. I wasn't sure everybody else captured that.

COUNCILWOMAN SPERR: I heard that.

RICHARD STOWE: And the only other -- I'm not advocating a position. I'm only pointing out that you heard a discussion about other pension plans and defined benefit plans. One of the largest pension plans around anywhere is the State of New York's pension plan. And few people realize it, but there is one individual who is the sole trustee of all of that money, the billions and billions of dollars that is in there, and that's the Comptroller. Okay?

And I think what you're hearing is, that -- and what I have heard is that there is a fair amount of information and a fair amount of responsibility here, and I think in addition to checking with other municipalities and getting your own comfortable level with the ratings and the service, you ought to take a check on the level of discretion that you're talking about transferring, and at the same time, what your appetite for having that responsibility, and fold Dianne (O'Meara) into the conversation with how rapidly some of those decisions need to be made. Historically.

Because if we have a defined benefit plan like we do and we have the cash to pay those benefits, what you're really talking about is being poised to be able to utilize the dollars in the plan effectively for the future, and you need to be comfortable with how fast you may have to

move those or how much you care about having a decision-making role in moving those and how much you're willing to delegate. I think that is where you have to come out in the analysis for the two things, because the monetary things, I think in my quick review of these things, is really a wash.

COUNCILMAN SCHULMERICH: My hesitancy on the fee-based discussion tonight is not around the fee specifically. It's getting more comfortable with the discretionary aspect of what degree are we willing to relinquish decision rights and timing rights to an outside agent if, in fact, we have the responsibility. We're aware of that responsibility now. I would like to think about it now a little bit rather than just delegate it. I appreciate your raising that. It is less the fee itself, because I'm assuming they're going to be fairly comparable when we look at the numbers. That's an assumption without having the numbers.

But more importantly, the discretionary aspect over the delay and things like that.

MR. ROGERS: Can I mention one other thing since I'm here? I won't take a lot of time. Dianne (O'Meara) doesn't know about this either, but we use a bank called America Bank of Trust to make your payments to the firefighters. We have reached an agreement with them they will act as the Trustee for these plans. We haven't been able to find that anywhere either. There are banks that act as professional Trustees where they will have even more or additional oversight responsibility -- it becomes their responsibility, and they will do it now. And frankly, you know, it's around a couple \$1,000 a year, but I think it is cheap money if you think about that. That is just something that we came to terms with recently. Banks -- the fees are high, and we are able -- because we have a lot of volume with them right now, we were able to negotiate them down to where they are. Their minimum fee is typically \$6,000 a case, but we were able to get it down to a lot less than that.

So we're just now starting to roll that out, and I think it is a worth a consideration, and I haven't proposed it all, but I figured since I'm here, I would tell you it's there, and if that's something you want to think about, that we can think about and begin that dialogue also.

COUNCILMAN SLATTERY: Does that fee come out of what I pay you?

MR. ROGERS: That's in addition to.

RICHARD STOWE: That's not in this proposal?

MR. ROGERS: It is not, know.

SUPERVISOR DUNNING: Thank you very much.

At this time, I would actually like to move we go into Executive Session to discuss a personnel issue, as well as a legal issue.

COUNCILWOMAN IGNATOWSKI: I will second that.

The Board was unanimously in favor of the motion to go into Executive Session.

The Board went into Executive Session at 7:59 p.m.

The Board returned from Executive Session at 8:28 p.m.

SUPERVISOR DUNNING: Motion to return from Executive Session.

COUNCILMAN SCHULMERICH: So moved.

COUNCILWOMAN SPERR: Second.

SUPERVISOR DUNNING: I apologize. There was a typo on our agenda. The resolutions were mis-numbered. Our first resolution under New Business would be Resolution 236, not 234.

RICHARD STOWE: Why don't we call them out as we read them and number them as we go through them and that will take care of that.

SUPERVISOR DUNNING: I will do that. Thank you.

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 7:58 p.m.

The 7/9/08 Town Board meeting minutes were approved as modified.

The 7/21/08 Town Board meeting minutes were approved as submitted.

REPORTS SUBMITTED:

Basic Financial Reports – FYE 12/31/07

Library Board Minutes – 6/24/08

Monthly Financial Report – May 2008

Planning Board Minutes – 6/10/08

Town Clerk Report – July 2008

Zoning Board of Appeals - 5/20/08, 6/24/08

CORRESPONDENCE:

1. Mr. Brongo has received notification that Cary Lawson is resigning from the Drainage Committee effective immediately.
2. Mr. Brongo has received notification that Thomas Jonak is resigning from the Drainage Committee effective 8/6/08.

TOWN BOARD LIAISON REPORTS:

Conservation Board Report by Virginia Ignatowski:

COUNCILWOMAN IGNATOWSKI: Art Pires from Wegmans came to the meeting on Monday to submit the landscaping proposal for the office complex plan. The Conservation Board requested some additional information and a change in tree size on where it borders along, I think, Fisher Road.

Pat Tindale outlined the efforts of the Conservation Board to save a number of trees at the Heritage Christian Homes' proposal on Westside Drive. They were pretty happy. It seems like a compromise to preserve quite a large number of trees over there. I know that was a concern also with the residents, from reading the Planning Board minutes, so hopefully that will help that situation.

The Board also started a -- preliminary discussions on the 2009 budget proposal, and they also reviewed the Planning Board agenda items.

Drainage Committee Report by Virginia Ignatowski:

COUNCILWOMAN IGNATOWSKI: Drainage met last night. As you see down on correspondence, both Cary Lawson and Tom Jonak have submitted resignations from the Committee, so we'll have to obviously do something about filling those two positions. They will be missed, especially Tom (Jonak), who has been quite a few years on that Committee.

Dave Lindsay reported the drainage crew has been working on catch basin repairs and fixing some cave-ins.

They also reviewed the culvert on Reed Road, and he hopes to begin working on the Chestnut Ridge pond as resolution here for the Whispering Winds pond. A guest did attend the meeting with pictures of the drainage problem on his property. There was quite a bit of discussion that ensued about how best to address that situation.

Avery Engineering submitted the -- what was described as the drainage plan for the Microtel proposal and the Committee also reviewed the Planning Board agenda.

SUPERVISOR DUNNING: Thank you.

Planning Board Report by Dennis Schulmerich:

Zoning Board Report by Dennis Schulmerich:

COUNCILMAN SCHULMERICH: Planning and Zoning. I have been traveling over the last three weeks and defer to the meeting notes for the two Boards.

Architectural Advisory Committee Report by Michael Slattery:

COUNCILMAN SLATTERY: Have not met.

Library Board Report by Michael Slattery.

COUNCILMAN SLATTERY: Library, just one highlight I would like to point out, the Smug Town Stompers will be playing outside the library on the 12th. As we have heard in the past Town Board meetings, it is just outside the room.

SUPERVISOR DUNNING: Actually, we moved them. We -- we asked them to move because Planning Board is that night, so I think we asked them to move to the side of the building so it wouldn't disrupt Planning Board. That happened probably after the meeting.

COUNCILWOMAN SPERR: I thought the same thing.

COUNCILMAN SLATTERY: Dick (Brongo) just wanted me to mention about the book sale that is going to take place on the 15th from 9 to 4.

How is that?

RICHARD BRONGO: Good.

Historic Preservation Board Report by Mary Sperr:

COUNCILWOMAN SPERR: Yes. They met on the 14th of July briefly. An update, several members attended a tour they were invited to at the Charlotte lighthouse on Saturday, the 26th.

They participated very nicely at the Chil-E Fest. They put on display a model of the Cobblestone Schoolhouse, and it was a great attraction, so they're hoping to clean it up even further and put it out on display somewhere on Town property.

Um, on Saturday, July 19th, a historical marker was unveiled for Rural Cemetery Number 3 on Stryker Road. It's across from the American Legion home. It has the oldest recorded burial located in that cemetery at the Town, and at that ceremony, um, several members of the Preservation Board were there. And it was also covered by R News, and that was broadcast in the evening and the morning for several hours after that.

Pictures of that will be placed on the website for Historic Preservation, and the award was really given to Nancy Austin and Peter Widener on their governing -- that they're on the governing Board of the cemetery for their work at that cemetery.

The rest of the meeting was -- mostly covered major discussion about the cobblestone book, and I'm happy to report completion is imminent. So that's it.

Traffic Safety Committee Report by Mary Sperr:

COUNCILWOMAN SPERR: Traffic and Safety will be meeting tomorrow night.

Parks and Recreation Report by David Dunning:

Plumbing Board Report by David Dunning:

SUPERVISOR DUNNING: Parks and Plumbing have not met.

Town Center Ad Hoc Committee Report by David Dunning:

SUPERVISOR DUNNING: The Town Center Ad Hoc Committee did meet last week. I was -- it was a very good meeting, basically an Organizational Meeting. We went over some guidelines, handed out some information. Um, we will be appointing a Chairperson for that Committee, as well as we did the -- the Committee did select a secretary, which I would like to thank Mrs. Borgus for -- for sort of volunteering for that. Being volunteered, however you want to look at that. But thank you very much.

The meeting was very productive. I thought -- I was very surprised at the dialogue. Once again, as we had in the interview, I was very encouraged and think we have a good Committee put together there.

Mr. Jonak has been with the Drainage Committee, I understand, for 25 years. I haven't had the privilege of working with him, and I know that all of you have for -- to a certain extent, and I would ask -- I don't know if people in the audience have seen this yet. I know we have given out a couple of them, a service award that we do give to the employees that are -- or people that worked for our Town and dedicate a lot of their time to our Town.

I would ask Councilwoman Ignatowski, because we talked earlier, if you wouldn't mind presenting this to Mr. Jonak. He wasn't able to be here this evening. We do appreciate his service, and if you would pass that along to him, we would appreciate that.

COUNCILWOMAN IGNATOWSKI: 25 years, it is an incredible amount of knowledge. I have been on the committee -- either as a member or Chair, and then liaison, and he really did bring a lot to the Committee. He will be moving out of State, retired and so there's no way we'll be able to keep him.

SUPERVISOR DUNNING: So we will have some openings, as was mentioned, on the Drainage Committee. I would certainly encourage anyone here that may be interested in that to let us know, fill out an application and we can note that.

Pending business:

RESOLUTION #133 RE: Set Public Hearing to consider adoption of Local Law #2 of 2008 for the Adoption of updated Code of the Town of Chili

OFFERED BY: Supervisor Dunning SECONDED BY: Councilman Slattery

BE IT RESOLVED that a Public Hearing be set for April 2, 2008 at 7:00 PM to consider the adoption of Local Law #2 of 2008 to adopt the updated Code of the Town of Chili and;

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

HELD

New Business:

RESOLUTION #236 RES: APPROVING EXTENSION CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE PROPERTY LOCATED AT 60 STRYKER ROAD, SCOTTSVILLE, NY 14546 TAX MAP NUMBERS 158.04-1-13, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

WHEREAS, a petition for the extension of the Chili Consolidated Drainage District to serve the property located at 60 Stryker Road, Scottsville, NY 14546 tax map number 158.04-1-13, a territory located within the Town of Chili, Monroe County, New York, the said petition being dated June 4, 2008, was duly presented to the Town Board together with the necessary map and plan attached thereto; and

WHEREAS, an order was duly adopted by the Town Board on July 9, 2008 reciting the filing of said petition, the boundaries of the proposed district, the proposed services to be provided, the fact that no drainage improvements are proposed to be constructed therein by the Chili Consolidated Drainage District at this time, the estimated costs of the Chili Consolidated Drainage District, as extended, to the typical property, or if different, to the typical one or two family home, within the Chili Consolidated Drainage District, as extended, and specifying August 6, 2008 at 7:00 P.M. as the time and the Town Hall in the said Town of Chili as the place where the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, such order was duly posted and published as required by law; and

WHEREAS, a hearing on the matter was duly held by the Board on the 6th day of August, 2008, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, this Board has duly reviewed and considered the short Environmental Assessment Form submitted in this matter, as well as all other information obtained at the public hearing referred to above; and the Board has duly considered the impacts which may reasonably expected to result from the proposed action by using the process and criteria set forth in Article 8 of the State Environmental Quality Review Act and applicable regulations thereunder ("SEQRA");

NOW, THEREFORE, upon the evidence obtained by the Town Board at said public hearing and upon all other information obtained and reviewed by the Board, it is

RESOLVED AND DETERMINED, that the proposed extension of the Chili Consolidated Drainage District is not likely to result in the creation of potentially significant adverse environmental impacts and therefore, this Town Board does hereby make a Determination of NonSignificance, or a "Negative Declaration" (as the same is defined for purposes of SEQRA); and be it further

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of Town Law as to the sufficiency of signers and is otherwise sufficient; (b) all the property and property owners within the proposed district extension are benefited thereby; (c) all the property and property owners benefited are included within the limits of the of the proposed district extension; (d) it is in the public interest to extend the district only if the expenses of the district (except as otherwise provided herein) shall be assessed against the entire district, as extended; and (e) it is in the public interest to grant in whole the relief requested; and be it further,

RESOLVED AND DETERMINED, that the extension of the Chili Consolidated Drainage District as proposed in said petition be approved; that cost of the formation of the district extension shall be paid by the petitioners; and that such district shall be bounded and described as set forth in Schedule A, available in the Town Clerk's Office; and be it further,

RESOLVED AND DETERMINED, that all expenses of the Chili Consolidated Drainage District, including this extension and all other extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended, except as otherwise provided above; and be it further

RESOLVED, that the Town Clerk of this Town shall within ten (10) days after the adoption of this resolution file certified copies thereof in duplicate in the office of the State Department of Audit and Control at Albany, New York; and be it further

RESOLVED, that the Town Clerk, within ten (10) days of the adoption of this resolution, shall cause to be published and posted, as required by law, a notice setting forth an abstract of this resolution, the date that it was adopted and a statement that it is subject to a permissive referendum.

Upon a call of the Roll of the Members of the Town Board of the Town of Chili:

UNANIMOUSLY APPROVED

RESOLUTION #237 RE: SEQR Determination GIS Maps

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman Sperr

WHEREAS, the Town Board has conducted two public hearings, held on June 4, 2008 and July 9, 2008 upon the action to amend the 12 maps contained in the adopted Town of Chili Comprehensive Plan – 2010 Update; and

WHEREAS, the Town Board has given consideration to the public comments received, the referral comments provided by Monroe County Planning and the environmental record prepared on said action by the Town Planning Consultant, the RLB Planning Group; and

WHEREAS, the Town Board desires to take action to adopt the final maps prepared by E&A Maps and the RLB Planning Group, as the official maps to be contained in the adopted Town of Chili Comprehensive Plan – 2010 Update.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the environmental record prepared by the Town's Planning Consultant for this project as being an

accurate evaluation of the anticipated impacts likely to result from the action to adopt said GIS Maps.

BE IT FURTHER RESOLVED, that the Town Board, based upon its review of the criteria contained in the State Environmental Quality Review Regulations does hereby make a determination of non-significance upon the above described action.

BE IT FINALLY RESOLVED, that a copy of the environmental record and this determination of non-significance is to be included in Appendix B of said Plan document and the original is to be filed with the Town Clerk.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

RICHARD BRONGO: Where are these copies of maps going to come from? We have sold a number of the -- the plan, the Comprehensive Plan, so people that have the Comprehensive Plan have bad maps associated with them, so if they come in for maps, will my office have a number of sets of maps for me to be able to distribute to the people that have a copy of the Comprehensive Plan with the wrong maps?

SUPERVISOR DUNNING: I believe we can certainly make some available for purchase if people would like to purchase those additionally. I don't think they would be a part of their original purchase, if that is what you're asking. If they want it, we can provide copies of those. Just as we would anything else, provide copies of those to people if they request them. These will become an official amendment, so this is new information for all intents and purposes going to the Comprehensive Plan.

COUNCILWOMAN IGNATOWSKI: You're talking about people who have purchased them. What about the ones that have been distributed, like the one in the library, the Planning Board members have one, I know I have a copy. Is there a distribution list that is associated so we know where all those copies are so they can all get --

RICHARD BRONGO: I'm not 100 percent sure, to be honest with you, Ginny (Ignatowski). If it isn't in my book, then we don't have one.

SUPERVISOR DUNNING: I think we could probably solicit that information to find out who actually has copies. Of course the official copy is in the Town Clerks' office, and we do have a copy in the library, which certainly we can get copies of that, knowing that that is there.

As far as any individuals who may have copies, Planning Board, Zoning Board, anyone else who may have those copies, we can go out and ask them if they do have those and if they desire -- we can update their maps.

COUNCILMAN SLATTERY: Who will have that charge?

SUPERVISOR DUNNING: I will. I will work with --

RICHARD STOWE: I feel compelled to draw your attention to the next to the last paragraph of this resolution.

The people that are listed here must have the new maps. I don't care if they have old maps. They get new maps. Everyone else has maps available, and if you want to go beyond that to make new maps available to people that formerly had old maps, that's up to you. Make sure that the people who must have them, have them. Anything else is optional.

SUPERVISOR DUNNING: Okay.

COUNCILWOMAN IGNATOWSKI: Thanks, Rich (Stowe).

RESOLUTION #238 RE: Accepting GIS Maps

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Schulmerich

WHEREAS, the Town Board has conducted two public hearings, held on June 4, 2008 and July 9, 2008 upon the action to amend the 12 maps contained in the adopted Town of Chili Comprehensive Plan – 2010 Update; and

WHEREAS, the Town Board has given consideration to the public comments received, the referral comments provided by Monroe County Planning, the environmental record prepared on said action by the Town Planning Consultant, the RLB Planning Group; and

WHEREAS, the Town Board has made a determination of non-significance under the State Environmental Quality Review (SEQR) Regulations upon said action; and

WHEREAS, the Town Board desires to take action to adopt the final maps prepared by E&A Maps and the RLB Planning Group, as the official maps to be contained in the adopted Town of Chili Comprehensive Plan – 2010 Update.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt said GIS Maps.

BE IT FURTHER RESOLVED, that the Town Board does hereby direct copies of said GIS Maps be made available to the general public, be placed on the Town's website, be placed in the official copies of said Plan that are on file with the Town Clerk, Town Building Department, Town Library and Town Planning Board members.

BE IT FINALLY RESOLVED, that a copy of this resolution is to be included in Appendix E of said Plan document, a notation to this effect made in Appendix D of said Plan document and the original resolution is to be filed with the Town Clerk.

UNANIMOUSLY APPROVED

RESOLUTION #239 RE: Modify Resolution 221 of July 9, 2008

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilman Slattery

WHEREAS, the release number and amount for the letter of credit release were listed incorrectly for Maple Hollow Subdivision; and

WHEREAS, these numbers need to be correct and match the actual release number and amount that has been verified with our Town records and bank documentation.

NOW, THEREFORE, BE IT RESOLVED, to change the resolution to read release no. 8 – Final, the amount to be released is \$30,393.77; leaving a balance of \$0.00.

UNANIMOUSLY APPROVED

RESOLUTION #240 RE: Transfer to Assessment Reserve

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

WHEREAS, the Town of Chili has received \$51,275.00 for 2007 Assessment Aid money; and

WHEREAS, a portion of funds is to be used for the 2008-9 Annual Update Project;

NOW, THEREFORE, BE IT RESOLVED, to revise A3040 (Real Property Tax Administration) and A9950.9 (Transfers to Capital Projects) by \$51,275.00; and

BE IT FURTHER RESOLVED, to transfer \$32,000 to H46 (2008-9 Annual Reassessment Project); and

BE IT FURTHER RESOLVED, to transfer \$19,275.00 to H23 Assessment Reserve Fund.

UNANIMOUSLY APPROVED

RESOLUTION #241 RE: Investment Policy Statement-Chili Fire Department Service Award Program

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Schulmerich

BE IT RESOLVED to adopt the "Investment Policy Statement-Town of Chili Defined Benefit Length of Service Award Program" dated August 6, 2008.

UNANIMOUSLY APPROVED

RESOLUTION #242 RE: Roberts Wesleyan College Parade

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

WHEREAS, Roberts Wesleyan College has asked for the Town's permission to hold a Homecoming Parade on Saturday, September 27, 2008 at 11:00 a.m. to last for approximately one hour;

BE IT RESOLVED that the Town Board hereby authorizes Roberts Wesleyan College to hold Their Homecoming Parade on September 27, 2008, 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 #243 RE: Application for a Justice Court Assistance Program Grant

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

WHEREAS, The Town of Chili, Town of Chili's Town Court has been made aware of the availability of grant funding thru Justice Court Assistance Program Grant (JCAP); and

WHEREAS, the purpose of applications under this grant program is to secure funds that may be used for a variety of purposes, including office and security equipment, furniture, courtroom renovations; and

BE IT RESOLVED the Town Board of the Town of Chili hereby authorizes Judge Patrick J. Pietropaoli, Administrative Judge Chili Court to submit an application to the State of New York for the 2008 Justice Court Assistance Program Grant (JCAP); The maximum amount of funds applied for, through this program, is \$30,000;

BE IT FURTHER RESOLVED, that the Town Board directs the Clerk of the Town of Chili to provide a certified copy of this resolution to Judge Pietropaoli to include with the application to the New York State Office of Court Administration.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I would like to note that there was questions about this particular grant money. The comments that were made earlier by the audience are well received. We will take those into consideration before any contracts or any work is to proceed.

COUNCILWOMAN IGNATOWSKI: And this was brought up -- actually, I brought that up during last night's Drainage Committee meeting knowing the past history surrounding this, and there was discussion -- I don't know, did you want to expand on that at all?

DAVID LINDSAY: Not at this time.

SUPERVISOR DUNNING: And, Mrs. Borgus, I am noting that some of those comments came from you. We will certainly talk to you before anything happens.

MS. BORGUS: If anybody would like to see my file, it's this thick (indicating).

SUPERVISOR DUNNING: Thank you.

RESOLUTION #244 RE: Acceptance of The Whispering Winds Stormwater Facility Upgrade Grant

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

WHEREAS, the Town has received notification of a grant award in the amount of \$16,666.00 from the Monroe County Soil and Water Conservation District. Said grant is to be used for the design and upgrade of the Whispering Winds Stormwater Facility in accordance with the NYSDEC Stormwater Design Manual.

NOW, THEREFORE, BE IT RESOLVED, to accept the grant and to authorize the Supervisor to execute the grant contract between the Town and the Monroe County Soil and Water Conservation District.

UNANIMOUSLY APPROVED

RESOLUTION #245 RE: Authorize Attendance to Highway Superintendents Fall Conference

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to authorize David P. Lindsay, Superintendent of Highways, to attend the Annual New York State Town Highway Superintendent Fall Conference to be held September 23-26, 2008 in Buffalo, NY, at a cost not to exceed \$800.00 from A1490.4 \$400 & A5010.4 \$400.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I would like to introduce, if I may, Louise Hunter. I would like -- is there any questions or comments on this particular resolution? We'll do the moment of silence after we pass it.

RESOLUTION #246 RE: In Memory of Robert Hunter

**OFFERED BY: Supervisor Dunning SECONDED BY: Councilwoman Ignatowski
Councilman Schulmerich
Councilman Slattery
Councilwoman Sperr**

WHEREAS, on July 7, 2008 Robert Hunter passed away and we are deeply saddened by his loss;

AND WHEREAS, Mr. Hunter served as Chair for the Zoning Board of Appeals from 1970 – 1974 and he served as Chair for the Planning Board from 1978-1981;

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

UNANIMOUSLY APPROVED

MS. HUNTER: Louise Hunter.

I would just like to comment that Bob and I lived in Chili 55 years, and he gradually became involved in the government of Chili and little by little, he realized that citizen involvement makes a difference, and -- and it not only makes a difference, but you meet a lot of people that you enjoy and that became his friends and my friends. So our family would like to thank you for taking this opportunity to recognize his service in the Town.

Thank you.

SUPERVISOR DUNNING: Thank you. It is certainly my honor, and I believe I can extend that from the rest of the Board.

Thank you.

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: In regards to the cost increase, a little background information regarding that?

SUPERVISOR DUNNING: When -- some of the cost increases were costs that are in-kind services that I don't believe we initially put into this. Some of this money is actually work that the Highway Department is doing, and we will be taking money -- putting money into this fund to basically pay for the Highway Department personnel and staff time that will be dedicated to this particular project. I don't believe we have had that in the initial calculations.

David (Lindsay), correct me if I am wrong, on that one.

DAVID LINDSAY: I think your statement is accurate.

SUPERVISOR DUNNING: That is part of it. The other part is some of the construction costs obviously have gone up since we initially took on this project. That is also a factor. As well as when we put together the -- the RFP and sent out the RFP, the proposals that came back and the groups that we talked to, and I think you all saw those proposals, a lot of it was pre-manufactured type buildings they were going to bring in. We -- through the process we looked at some of the cost differences between that type of a facility and a more permanent facility that we won't have the high maintenance costs on are -- have to be replacing maybe 10 years from now, 15 years from now, with a more solid building, if you will.

As well, the second bathroom that wasn't initially a part of the initial plan, putting in the second bathroom, as you saw. Last time that was one of the other factors, having the second bathroom. There was always a space for it, but did we want to fill it, put in fixtures, and the answer was ultimately might as well do it now, while you're doing this project for the difference in the money. So that's really where some of this came from.

COUNCILWOMAN SPERR: I think that those comments are -- are good to hear, and I think that part of the reason that the budget -- if you want to use the word "budget" -- was at that amount, was it was the funds that Mr. Curley had received from grants and pooled together, and that was the amount of money that he had available from all of that, those resources, and that became the budget.

But it -- it became clear as they were investigating that project, that that may not cover it, and it was even discussed at the time we met with him to get informed about that project. So it doesn't surprise me that we're at this budget amount, but it is clearly the right kind of spending for that park, it seems to me.

COUNCILMAN SLATTERY: I know the in-kind services was talked about at the last meeting, so that is why I'm surprised to hear that that wasn't included.

SUPERVISOR DUNNING: Some of that wasn't completely included in that.

COUNCILMAN SLATTERY: But in regards to the rising costs of construction, I totally understand that and appreciate that, and I know if they're still talking about trying to pave that parking lot, I think there's --

COUNCILWOMAN SPERR: No, he can't afford to do that.

SUPERVISOR DUNNING: That has been pretty much abandoned at this point. I think we are sticking with the stone.

DAVID LINDSAY: That's correct.

COUNCILMAN SLATTERY: Okay. That leads me to another question, then. So on the plan it was talking about a paved parking lot, correct?

SUPERVISOR DUNNING: The initial plan included the possibility of paving it. We weren't sure if we were going to be able to afford it based on the cost of paving.

COUNCILMAN SLATTERY: What else has been modified to that plan?

SUPERVISOR DUNNING: The -- well, I don't believe in this initial one we'll have -- the trails aren't going to be cut into this, with this money. If you look at the next resolution, you will look at the cost alone of the building, and the septic, the building, and I believe the sidewalk curbing, things like that will go on in this project. You look at that cost there, was the -- the -- the quote we got back. Again, we're working with estimates initially.

COUNCILMAN SLATTERY: Looking at that resolution, how would -- go ahead.

SUPERVISOR DUNNING: \$163,000 for the contractor was -- was a little more than we had anticipated it may cost us to do that.

COUNCILMAN SLATTERY: My question to you, me looking at that resolution, how would I know what was cut and what is going to be done?

SUPERVISOR DUNNING: Bid specs. You got -- everybody got a copy of the bid specs. Every -- the -- what we checked out is what we're getting and everyone got a copy of the bid specs.

COUNCILMAN SLATTERY: Everybody?

SUPERVISOR DUNNING: Not in the public.

COUNCILMAN SLATTERY: That is my question. So my question is looking at the resolution, how would they know?

SUPERVISOR DUNNING: They wouldn't.

COUNCILMAN SLATTERY: I think the Board and I didn't know that the trails were going to be cut out. So I think I would like to see what is included in -- in that park. What is going to be done, as we mentioned before, phases, we would like -- you know, let's see what the different phases are going to be. Send us the information. Phase 1 is now going to consist of this. I do not want to see a Union Station Park that went on for too, too, too long, too many

Contractors, Inc. At an amount of \$163,800.00 to be paid from account #H45-7110.2.

UNANIMOUSLY APPROVED

RESOLUTION #249 RE: Modify the Town of Chili Investment Policy

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

WHEREAS, General Municipal Law §10 (c) allows acceptance of an eligible surety bond payable to the local government as security of 100% in lieu of eligible securities listed in GML §10 (f); and

WHEREAS, M&T Bank is requesting to have the ability to use eligible surety bonds to collateralize deposits;

NOW, THEREFORE, BE IT RESOLVED, the "Town of Chili NY Investment Policy" adopted January 2, 2008 by resolution 16 be modified to add wording authorizing eligible surety bonds as collateral in accordance with GML §10 (c); and

BE IT FURTHER RESOLVED, Supervisor Dunning is authorized to sign M&T Bank's form modifying collateralization instructions to the bank, subject to approval of terms by the Counsel for the Town.

UNANIMOUSLY APPROVED

RESOLUTION #250 RE: Property Appraisal, Highway Department Relocation

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilman Slattery

WHEREAS, The Town of Chili desires to investigate the possibility of purchasing property for the purpose of relocating the Highway Garage, and

WHEREAS, It is in the best interest of the Town to hire a professional appraisal firm to assure fair market value;

THEREFORE, BE IT RESOLVED, that Supervisor Dunning is hereby authorized to hire Pogel, Schubmehl, Ferrara or Bruckner, Tillett, Rossi, Cahill & Associates or Midland Appraisal Associates to provide the Town of Chili with a fair market appraisal for property / properties for a cost not to exceed \$5,500 to be paid from A1420.4 (Attorney Contractual).

UNANIMOUSLY APPROVED

RESOLUTION #251 RE: July 16, 2008 Abstract

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

WHEREAS, January 2, 2008 Resolution #1 authorized vouchers to be paid July 16, 2008 by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 3534-3715 totaling \$61,742.24 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 3534-3715 were paid from the following funds:

General Fund	\$ 50,291.51
Highway Fund	\$ 8,934.32
H44 2007-8 Annual Update	\$ 1,501.75
Consolidated Drainage	\$ 125.84
Special Light Districts	\$ 888.82
Total for Abstract	\$ 61,742.24

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: This is directed to Dianne (O'Meara). Dianne (O'Meara), the celebrations account, the celebrations account for Rec, is that for the Chil-E Fest or for a lot

of different things for Recreation?

DIANNE O'MEARA: There's two items in the budget for 2008. Predominantly the Chil-E Fest, but also \$5,000 for that Arts in the Park -- the movies and the concerts that Mike Curley introduced this year.

COUNCILMAN SLATTERY: Okay. So that is included in that.

DIANNE O'MEARA: Right.

COUNCILMAN SLATTERY: Okay. Thank you.

And then in regards to the Chil-E Fest, do you know when we'll get the expense report for all their expenses and revenue for the Chil-E Fest?

SUPERVISOR DUNNING: No. I will get that answer for you, though.

COUNCILMAN SLATTERY: Okay. Thank you.

COUNCILWOMAN IGNATOWSKI: I just had a real quick question. On page 9, there is washed stone and crushed stone for essential garage vehicles. How is stone and vehicles -- is that the right spot?

SUPERVISOR DUNNING: Is that an error on the account that is under?

DAVID LINDSAY: Yes. It's likely an error in the account. I will check and get it corrected.

COUNCILMAN SLATTERY: Should we remove it?

DIANNE O'MEARA: Dave Lindsay indicated it was going to go into the drainage -- the Town drainage account, which is still in the General Fund.

COUNCILWOMAN IGNATOWSKI: I apologize. I meant to call you on that like I usually do, and I forgot to do that.

COUNCILMAN SLATTERY: So Dianne (O'Meara), meaning -- listening to what you just said, is that fine there? Do we need to remove it from the abstract?

DIANNE O'MEARA: Um, I do not think you need to remove it from the abstract because the resolution states that out of the General Fund would be this \$217,000 figure. The -- Dave Lindsay indicated it would go into the Town drainage which is still General Fund.

COUNCILWOMAN SPERR: But it --

DIANNE O'MEARA: The figure, as it stands, for the General Fund is still correct.

COUNCILWOMAN SPERR: It would have a different account number.

DIANNE O'MEARA: Yes. We have to do a different account number.

COUNCILWOMAN SPERR: So we could vote on this resolution tonight as it stands, and would you send us a new page?

DIANNE O'MEARA: Oh, yeah.

COUNCILWOMAN SPERR: Would that --

DIANNE O'MEARA: Yes.

COUNCILWOMAN IGNATOWSKI: The dollar amount will not change coming out of there. It is just going to change which account it comes from.

COUNCILMAN SLATTERY: Denny (Schulmerich), do you want to say that, too?

COUNCILMAN SCHULMERICH: I think I have it.

(Laughter.)

RESOLUTION #252 RE: August 6, 2008 Abstract

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED to pay vouchers 3870-4175 totaling \$498,438.28 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund	\$ 217,230.62
Highway Fund	\$ 91,802.85
H44 2007-8 Annual Update Project	\$ 1,672.00
H45 Baker Park Project	\$ 11,314.99
Consolidated Drainage	\$ 39,208.02
Chili Fire Protection District	\$ 127,598.00
Special Light Districts	\$ 9,611.80
TOTAL	\$ 498,438.28

UNANIMOUSLY APPROVED

RESOLUTION #253 RE: August 6, 2008 Abstract

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED to pay vouchers 4176 totaling \$357.50 to be paid from the General Fund as presented to the Town Board by Richard Brongo, Town Clerk.

APPROVED BY A VOTE OF 4 YES TO 1 ABSTENTION (Councilwoman Sperr)

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on August 6, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:32 p.m. to discuss extension of the Chili Consolidated Drainage district to serve the 60 Stryker Road, Scottsville, NY 14546, tax map number 158.04-1-13, more particularly described in Schedule A (Property Description) on file in the Town Clerk's Office.

Attendance as previously noted in the 8/6/08 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

JERRY BRIXNER, 14 Hartom Road

MR. BRIXNER: I just wanted to share the location of the proposal. 60 Stryker Road, is that the former Highway Department facilities?

SUPERVISOR DUNNING: It's the property which I think was purchased originally with the intent to locate the Highway Department there, but there is no -- yes. There is nothing there. Grove Place Cemetery is purchasing the property. It's for their expansion.

MR. BRIXNER: Thank you.

The Public Hearing was closed at 7:33 p.m.

The next meeting of the Chili Town Board is scheduled for Wednesday, September 3, 2008 at 7:00 p.m. at the Chili Town Hall meeting room.

The meeting ended at 9:00 p.m.