

CHILI TOWN BOARD
September 3, 2008

A meeting of the Chili Town Board was held on September 3, 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, Commissioner of Public Works/Highway Superintendent; 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.

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 7:45 p.m.

TOWN BOARD LIAISON REPORTS:

Conservation Board Report by Virginia Ignatowski:

COUNCILWOMAN IGNATOWSKI: Microtel attended their meeting and presented their landscaping proposal to them.

The Conservation Board apparently spent 2 1/2 hours reviewing, discussing and suggesting modifications to their plan. Microtel will be revamping their proposal and will bring them back to them for their October meeting.

The Board also --

COUNCILMAN SCHULMERICH: I can't even imagine that.

COUNCILWOMAN IGNATOWSKI: You haven't been to a Conservation Board. They like to discuss things at length. Usually, minimally go until 9 o'clock at night.

The Board reviewed the landscape plan for the CVS on Marshall Road and they were very pleased with that proposal. They also reviewed the other Planning Board agenda items.

Drainage Committee Report by Virginia Ignatowski:

COUNCILWOMAN IGNATOWSKI: Several guests were present last night looking for updates and information about several drainage issues in the Town.

Dave Lindsay reported that the drainage crew has been looking at general maintenance such as ditch cleaning.

They also finished the bank work on Stottle Road by the bridge and they're now working on more bank work around Chili Avenue. They also reviewed the Planning Board agenda items.

Heads up at last night's meeting, we had another Committee member indicate that he will probably also be sending in his resignation. His wife wants to teach religious ed on Tuesday nights at St. Pius and he needs to then be home with his child. I already informed him he needs to send that into Dick (Brongo), but we're really down on members. I know you indicated we did receive some applications. I was wondering if we might be able to start setting up interview time for that so we can fill these vacant spots.

SUPERVISOR DUNNING: Actually, I have intended to do that earlier this week. I did get caught up unfortunately in the situation with the dogs, and it kind of put that a little on the back burner, but I will get back to that first thing tomorrow so we'll look at the application. I will say of the applications that we know we have, there are a few people that have expressed they have no interest in the committees, so -- but I will follow up with everyone and let -- we'll look at that and see what -- if we can move it forward and get some interviews.

Planning Board Report by Dennis Schulmerich:

Zoning Board Report by Dennis Schulmerich:

COUNCILMAN SCHULMERICH: Planning and Zoning, I will defer to the meetings' notes from the Boards.

Architectural Advisory Liaison Report by Michael Slattery:

COUNCILMAN SLATTERY: They had three applicants come in. The Crestwood

Children's Center, the famous hotel that isn't a hotel yet, and Wegmans, the proposed office addition on Market Street.

And there was a -- there was no guests attending the meeting. On some of the Town's -- just talking with the people on the Committee, um, some of the -- some of the concern that they have is a mailbox location for them, getting that -- getting their mail, access to the building, and having the information to them, so that is a concern that I'm going to bring to -- to you, that, you know, mailbox -- if they can get a mailbox set up, if I can get a copy of the agenda.

I know I did talk to the Chair about that. He will e-mail me once he gets it, but also I'm not seeing anything else regarding that. So the Committee or the agenda, the items that are on it.

COUNCILWOMAN IGNATOWSKI: They have one mailbox slot that is right in where our mail is, because I know that that is where some plans were before, but are they looking for individually? That is confusing you don't know who picked up what plans.

COUNCILMAN SLATTERY: Well, the problem that is occurring is you have two Ignatowskis, two Coxes, so there -- the mail is getting -- is getting a little confusing. So...

SUPERVISOR DUNNING: I will take that up with -- we'll see what we can do as far as space for mail pickup, and I will also talk to Mr. Wanzenreid to see -- I initially believe the procedure was when we have them, we'll put the items in the mailbox and everybody's name would be on the top, and as they picked up the material, they would cross out their names. We do have limited space. We don't have a lot of mailbox space here, but let me see what I can do.

COUNCILMAN SLATTERY: In the Building Department?

SUPERVISOR DUNNING: That's correct. The mailboxes are -- are the only slot available -- we will talk. We can see what we can do about that.

I'm sorry, you mentioned being able to get in the building. There is an issue getting in the building?

COUNCILMAN SLATTERY: One of them doesn't have a key yet, and his hours of him getting here, I believe, was after hours. There was one person that I guess that -- the chip on the key. And they weren't -- they -- I don't know if they were trained on how to open that door.

SUPERVISOR DUNNING: They were. Tara was.

COUNCILMAN SLATTERY: Okay. Because basically it is being propped open.

SUPERVISOR DUNNING: Okay.

COUNCILWOMAN SPERR: There's been some difficulty at night getting the door to unlock and then relock. We had trouble.

SUPERVISOR DUNNING: There is a technique. I would be more than happy to share it with anybody. Not that there should be, but there is.

COUNCILWOMAN SPERR: We couldn't get to it lock. We almost had to call Dave for Historic Preservation.

COUNCILMAN SLATTERY: Nothing for that Committee.

Library Board Report by Michael Slattery:

COUNCILMAN SLATTERY: Um, actually, it was -- I received this at home, as well as everyone else did, but included inside, which was -- I was reminded of this tonight by somebody very nice making sure I did mention it, was the passports that are going to be coming up taking place on November 12th, 5:30 to 7:30. We knew from the past how great the response was, the attendance, so that is great that we're able to see this again.

The survey, um, that they're also doing regarding the library, that is included in this brochure, and it is also online. I actually filled mine out online.

And then thirdly, is the budget information. I know looking, hearing the news in regards to the State and their budget crisis, and where they're going for funding, for the libraries, I believe, it is going to be cut, so I know that that is a concern, and I know they have met with the Town a couple times in regards to their budget and where the Town stands.

So I know they're also interested in having a meeting with the Town Board, and I'm sure -- you guys, I believe, had a meeting this week, which I was out of Town, unable to attend. So how did that go?

SUPERVISOR DUNNING: Um, it -- the meeting went fairly well. We still have some things to work through, some -- just -- I think what -- my understanding was the same as what you just mentioned, that they will have a -- Library Board will have a meeting in which the public will be attending to be able to go over their budget so that the public, including ourselves can ask questions about the budget and what they have. So I believe that is coming up shortly. If you haven't already, you should be soon receiving indication for that meeting.

COUNCILWOMAN SPERR: We haven't got that.

COUNCILMAN SLATTERY: In general they invite the Town Board to the meeting.

COUNCILMAN SCHULMERICH: Do they have any indication what the Library Board -- what indication, what type of impact they expect to see from New York State, or are they having a guess at it right now?

COUNCILMAN SLATTERY: Guess, as of right now. I know there is a certain figure that was out there, but it was for -- across New York State. They don't have the specific numbers for their budget.

COUNCILMAN SCHULMERICH: That makes it that much tougher for them.

COUNCILMAN SLATTERY: Correct. That is all I have.

Thank you.

Historic Preservation Board Report by Mary Sperr:

COUNCILWOMAN SPERR: Yes. At the last meeting, I did plan to mention that we have been having trouble with the locks out front, in my report. It took us 20 minutes to get them to lock, and we had followed procedures. They couldn't get the door to stay open, so they had also propped it by the time I got here. Just to let you know. I figured it might have been a fluke, but now I'm hearing someone else had a problem.

The majority of the meeting consisted of presentation by the gentleman from Grove Place Cemetery to let the Preservation Board know of their plans for that cemetery. Very nicely presented, and they will stay -- keep the Board informed.

The rest of the meeting was dedicated to their discussion on the cobblestone booklet. They plan to attend the next Town Board meeting to present the booklet to the Town Board and their discussion and what their plans are for that to promote that and spread the word about that.

Traffic Safety Report by Mary Sperr:

COUNCILWOMAN SPERR: Traffic & Safety. Um, one of the old items of business that was attended to was the Microtel. They did review the revised plans for the Microtel. The Fire Department liaison was in attendance at that meeting, and discussed the buffers, the distance and the parking lot. And all of the concerns that had been expressed by the Traffic Safety Committee were addressed by the plan revisions.

There were residents from the Union Station Subdivision on Rio Grande expressing concerns about speeding. This is coming up a lot, more and more people are coming in expressing concerns about that. And one of their points of discussion, and we bring this up frequently when they complain about that is the perception of speeding versus the reality of speeding. It appears to be people are driving much faster than they really are when you are standing out in front of your house rather than being in the car and watching the speed.

So David Lindsay will be expressing some of the numbers that he has received from some equipment he is testing to monitor speeds of some of the neighborhoods.

And we also had the Sheriff Department's liaison in attendance at that meeting who did go over and talk to the residence and tell him that they would monitor the speeding in that area. So that will be looked at.

The Stottle Road bridge design was discussed. That is in design and will be released coming up.

And the -- oh, one other thing on that neighborhood speeding situation. They did advise the neighbors to try to contact their other neighbors by letter asking them to slow down.

That's about it.

Parks and Recreation Report by David Dunning:

SUPERVISOR DUNNING: Parks and Recreation, I was unable to make the meeting. I did get a report from Mr. Curley on some of what went on there.

They did review the Chil-E Fest, which they considered to be a great success. They also reviewed the summer movie and concert series that were held over in Davis Park. Also, considered to be a pretty good success. They felt they were well attended and certainly something to grow on.

As you know, the fall and winter program brochure is complete and out. A couple of new teen programs they're trying to offer now, some flag football and Guitar Hero.

They have some -- and Bob Springer also gave a report on the -- a brief report on the success of the farmers market, which I understand also -- and we'll get a formal report, that that has been extremely successful and very -- a lot of people are very happy. The vendors are very happy to be there. Again, considered another success for the Town.

I would also like to add, because I believe Councilman Slattery, you -- you had asked a question about the Chil-E Fest report and also some phasing of the Baker Park project at one point.

COUNCILMAN SLATTERY: Right.

SUPERVISOR DUNNING: I would just like to add, I have a preliminary report from the Chil-E Fest. Once we get the final report, we'll be sharing that, so you should expect to see that fairly soon.

The Baker project, Mr. Curley and I have talked about this on several occasions, and we are working on a phasing description, as you had suggested that we do, and what specifically we may see in certain phases, more specifically the Phase 1, which we will completely expect to see once this project is completed. And obviously the rest of the phasing will be depending on funding, but we'll have that for the Board fairly soon. I wanted to make sure you knew that was coming and we are working on getting that done.

Some additional park projects, I believe you also mentioned the concern about Union Station. I understand that the work will -- will begin next month on the basketball court and ADA compliant walkway, so those should be in next month. That is the progress of that at this point. I just wanted to -- to make sure we touched base. I know there was a question about it.

COUNCILMAN SLATTERY: The completion date for those projects?

SUPERVISOR DUNNING: The completion date?

COUNCILMAN SLATTERY: Union Station.

SUPERVISOR DUNNING: For Union Station, um, those -- some point this spring -- well, they didn't mention the exact completion date of it. Just that they will begin the basketball court and I can get that information for you.

COUNCILMAN SLATTERY: Would be nice to know where we are dollar wise, if we're

going to complete, exhaust all of those resources this year or are we going into next year.

SUPERVISOR DUNNING: I believe these -- my understanding is these two projects, the walkway and the basketball court will complete the money which we have available for this project.

Do you know that to be true, David (Lindsay)?

DAVID LINDSAY: I think that's generally correct or for the most part, the basketball court will be completed this fall. There will be some striping that we'll probably take care of in the spring, the court itself, but the asphalt and sidewalk will be this fall.

COUNCILMAN SLATTERY: That's going to be my next point. What type of material is the basketball court to be made out of, and will it be high enough to be out of the flooded area or will it be in the area that floods and will this material, you know, be able to wash away or cause problems?

SUPERVISOR DUNNING: I will defer to him.

DAVID LINDSAY: The walkway will be asphalt paved walkway, extending from the parking lot area down to the boat launch area, to the fishing platform area. Typical sidewalk section. The basketball court will be the same thing, a basketball asphalt section with sub base. I think we're locating it just to the south of the pavilion, so it will be up out of the area that generally floods. Roughly the same elevation.

COUNCILMAN SLATTERY: Okay. Good. Thank you.

One final question I had, I heard some -- some talk of a performing arts dome at the old Town Hall site. Is there any information regarding that? Has that been discussed at rec, or is that just the good old rumor mill working?

Supervisor Dunning indicated non-verbally.

COUNCILMAN SLATTERY: Is that "yes" or "no"?

SUPERVISOR DUNNING: That is exactly what that is. That is the rumor mill working. There has been no discussion about -- to the best of my knowledge, as far as building a performing arts dome or any type of --

COUNCILMAN SLATTERY: Anything like at Highland Bowl type -- of a setting? A gazebo where bands would play?

SUPERVISOR DUNNING: I have heard people discuss that, yes, that would be a nice thing to see over there, as a concept, but not as a plan, not as anybody who is sitting down and actively pursuing or planning on it.

COUNCILMAN SLATTERY: Residents or Town officials?

SUPERVISOR DUNNING: Probably I would say both.

COUNCILMAN SLATTERY: Because there was news -- it was brought to my attention, and they asked me where we are with that? Because they heard it from -- from a Town official, and that was the first I have heard of it, so I couldn't reply. So...

SUPERVISOR DUNNING: I think -- it may have been one of those conversations where, "Wouldn't it have been nice to," you know, envisioning doing -- we had all kinds of money and all kinds of things and all kinds of space and we could have anything we wanted I think is maybe what you're referring to. You know, like a lot of other things, wouldn't it be nice to do some things that -- and think that is probably all of the -- there is nobody -- there is no -- in no official capacity as anyone working towards doing that type of thing in the Town Center that I'm aware.

COUNCILMAN SLATTERY: Okay. Thank you. Thank you for the clarification.

Plumbing Board Report by David Dunning:

SUPERVISOR DUNNING: Plumbing Board has not met.

Town Center Development Ad Hoc Committee Report by David Dunning:

SUPERVISOR DUNNING: The Committee is really doing some great work. They -- they're meeting twice a month, which is fairly aggressive, which is nice. There is a lot of great information, a lot of great ideas being shared. At this point there is really not a whole lot of meat to share with the Town Board at this point in time. Just to know that the Committee is working great together. The -- we have a great group of people. We have some great ideas, and I'm very encouraged and very pleased with what we're seeing so far.

COUNCILMAN SLATTERY: Glad to see the attendance is where it is, as well.

SUPERVISOR DUNNING: The attendance has been very good, yeah.

COUNCILWOMAN IGNATOWSKI: And the minutes are very well written, too.

COUNCILMAN SLATTERY: I don't know. I think she needs to work on it a little bit.

(Laughter.)

COUNCILMAN SCHULMERICH: That would be Dorothy Borgus.

(Laughter.)

COUNCILWOMAN IGNATOWSKI: Actually, if I could, I would like to personally thank Chris (Karelus) and all your efforts of getting the two houses that I have been asking to have taken down -- one is almost down and the other one is, and I very much appreciate that and all of the work that went into getting that accomplished.

COUNCILMAN SLATTERY: Is one of them the greenhouse that is a white house?

COUNCILWOMAN IGNATOWSKI: That is almost down.

SUPERVISOR DUNNING: That is -- is almost wood.

COUNCILMAN SCHULMERICH: That is almost ready for siding now.

(Laughter.)

MATTERS OF THE SUPERVISOR:

1. Household Hazardous Waste Collection Day is Saturday, September 20, 2008 from 8:00 a.m. to 12:00 p.m. -- by appointment only at the Gates Highway Department.

SUPERVISOR DUNNING: We have a Household Hazardous Waste Collection Day, which is Saturday, September 20th from 8 a.m. to 12 p.m. This is by appointment only at the Gates Highway Department. So if you have any hazardous waste, feel free to make an appointment and go over there and get rid of it. Gates is a better place than Chili.
(Laughter.)

2. Computer & Electronic equipment recycling Saturday is October 11, 2008 from 9 a.m. to 1:00 p.m. at the Highway Department.

SUPERVISOR DUNNING: We also have computer and electronic equipment recycling on Saturday, October 11th, at 9:00 a.m. to 1:00 p.m., and that will be held at the Highway Department. There is no appointment necessary for that. I believe there are fees if you bring some things like televisions and stereos. This is mostly for computer equipment, and it -- but they will take those things for a small fee.

New Matters:

(2) Vacancies on the Drainage Committee

SUPERVISOR DUNNING: We still have two vacancies with the potential of, I guess, three vacancies on the Drainage Committee. I would encourage anyone interested in this Committee to please fill out the application and get it into the Town as soon as you could, please.

The 8/6/08 Town Board meeting minutes were approved as modified.

REPORTS SUBMITTED:

Community Center Revenue Report – July 08
Recreation Center Revenue Report – July 08
Senior Center Revenue Report – July 08
Conservation Board Minutes – 6/30/08
Drainage Committee Minutes – 7/1/08
Historic Preservation Board Minutes – 6/9/08, 7/14/08
Library Board Minutes – 7/22/08
Monthly Financial Report – July 2008
Traffic & Safety Minutes – 6/5/08
Zoning Board of Appeals – 7/22/08

Pending Business

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I would like to touch on the resolution that has been pending business since day one. I think we're looking at somewhere around the October time frame? Is that correct, Chris (Karelus), that we should be able to move forward on this? We're close, we're waiting for the final publication.

CHRIS KARELUS: Yes.

SUPERVISOR DUNNING: So hopefully very soon we should be able to move on with that.

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 #254 RE: Authorization to attend Hackerfest 2008 Conference

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich

WHEREAS, a free information security conference is being held on September 25, 2008 in Rochester, New York;

WHEREAS, training and information provided at such conference will benefit IT operations in the Town of Chili;

NOW, THEREFORE, BE IT RESOLVED, that Chris Levey, Director of Management Information Services is hereby authorized to attend the conference "Hackerfest 2008" in Rochester, New York plus mileage.

UNANIMOUSLY APPROVED

RESOLUTION # 255 RE: Fall 2008 Monroe County Land Use Decision Making Training Program

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr

WHEREAS, the County of Monroe offers continuing education training programs for municipal officials involved in the building and development field;

BE IT RESOLVED that Chris Karelus be allowed to attend the Monroe County Fall 2008 Land Use Decision Making Training Programs on October 7, 22, & 29, 2008 & Ed Shero be allowed to attend the October 7, 2008 training program at Monroe Community College, at a cost not to exceed \$100.00 from A3620.4 (Building Dept – Contractual).

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: Vice Chair, I see in the minutes there was discussion on that. We still need to do that?

SUPERVISOR DUNNING: We still need to do that.

COUNCILMAN SLATTERY: Have they decided on one themselves?

SUPERVISOR DUNNING: No.

COUNCILMAN SLATTERY: Have they discussed it?

SUPERVISOR DUNNING: Yes.

RESOLUTION #256 RE: Chili Center Development Ad-Hoc Committee

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

BE IT RESOLVED that Paul Schott shall be appointed the Chairperson of the Chili Center Development Ad-Hoc Committee.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: Also known as Walgreens.

RICHARD BRONGO: I will see if I can get a longer one for you next time. You did that very well.
(Laughter.)

RESOLUTION #257 RE: ORDER ESTABLISHING THE EXTENSION CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE PROPERTIES LOCATED AT 3127 CHILI AVENUE TAX MAP NO. 146.10-1-18, 778 PAUL ROAD TAX MAP NO. 146.10-1-19, 3137 CHILI AVENUE TAX MAP NO. 146.10-1-14, 5 PIKUET DRIVE TAX MAP NO. 146.10-1-16, 3131 CHILI AVENUE TAX MAP NO. 146.10-1-17, 780 PAUL ROAD TAX MAP NO. 146.10-1-15, ROCHESTER, N.Y. 14624, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich

WHEREAS, at a regular meeting of this Town Board held on July 9, 2008, Resolution # 217 was adopted approving an extension of the Chili Consolidated Drainage District the properties located at 3127 Chili Avenue Tax Map No. 146.10-1-18, 778 Paul Road Tax Map No. 146.10-1-19, 3137 Chili Avenue Tax Map No. 146.10-1-14, 5 Pikuett Drive Tax Map No. 146.10-1-16, 3131 Chili Avenue Tax Map No. 146.10-1-17, 780 Paul Road Tax Map No. 146.10-1-15, Rochester, N.Y. 14624; and

WHEREAS, the Town Board's determination that it is in the public interest to assess all expenses of the Chili Consolidated Drainage District, including this extension and all extensions heretofore or hereafter established, as a charge against the entire area of the district, as extended, was subject to a permissive referendum pursuant to Sec. 206a of the Town Law; and

WHEREAS, a notice of resolution subject to a permissive referendum containing an abstract of the Town Board's determination was published and posted as required by law; and

WHEREAS, no petition requesting a referendum has been filed;

NOW, THEREFORE, IT IS ORDERED, that the Chili Consolidated Drainage District is hereby extended, as of this date, to include an area wholly located within the Town of Chili, County of Monroe and State of New York, pursuant to the terms contained in the Town Board Resolution # 217, dated July 9, 2008; and said area to be included in said extension is more particularly described in Schedule A which is attached hereto and incorporated herein by reference, and it is further

ORDERED, that the Town Clerk is hereby directed to certify a copy of this Order and forthwith cause said copy to be recorded in the Office of the Monroe County Clerk in which County the Town of Chili is situate and to forward a certified copy of the same (in duplicate) to the New York State Department of Audit and Control.

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

UNANIMOUSLY APPROVED

RESOLUTION #258 RE: ORDER ESTABLISHING THE EXTENSION CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE NICOLOSI CHILI-SCOTTSVILLE TWO LOT SUBDIVISION TAX MAP NUMBERS 158.02-1-29 AND 158.02-1-30, LOCATED AT 295 AND 301 CHILI-SCOTTSVILLE ROAD, CHURCHVILLE, NY 14428, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

WHEREAS, at a regular meeting of this Town Board held on July 9, 2008, Resolution # 218 was adopted approving an extension of the Chili Consolidated Drainage District serve the Nicolosi Chili-Scottsville two lot subdivision located at 295 and 301 Chili-Scottsville Road, Churchville, NY 14428 tax map numbers 158.02-1-29 and 158.02-1-30; and

WHEREAS, the Town Board's determination that it is in the public interest to assess all expenses of the Chili Consolidated Drainage District, including this extension and all extensions heretofore or hereafter established, as a charge against the entire area of the district, as extended, was subject to a permissive referendum pursuant to Sec. 206a of the Town Law; and

WHEREAS, a notice of resolution subject to a permissive referendum containing an abstract of the Town Board's determination was published and posted as required by law; and

WHEREAS, no petition requesting a referendum has been filed;

NOW, THEREFORE, IT IS ORDERED, that the Chili Consolidated Drainage District is hereby extended, as of this date, to include an area wholly located within the Town of Chili, County of Monroe and State of New York, pursuant to the terms contained in the Town Board Resolution # 218, dated July 9, 2008; and said area to be included in said extension is more particularly described in Schedule A which is attached hereto and incorporated herein by reference, and it is further

ORDERED, that the Town Clerk is hereby directed to certify a copy of this Order and forthwith cause said copy to be recorded in the Office of the Monroe County Clerk in which County the Town of Chili is situate and to forward a certified copy of the same (in duplicate) to the New York State Department of Audit and Control.

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

RESOLUTION #259 RE: ORDER SETTING PUBLIC HEARING ON THE PROPOSED EXTENSION OF THE CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE MAUREEN F. WARMERDAM PROPERTY TAX MAP NUMBER 146.07-1-69, LOCATED AT 3033 CHILI AVENUE, ROCHESTER, NY 14624 IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich

WHEREAS, a written petition, dated August 18, 2008, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Chili, Monroe County, New York for the extension of the Chili Consolidated Drainage District to serve the Maureen F. Warmerdam property located at 3033 Chili Avenue, Rochester, NY 14624 tax map number 146.07-1-69, more particularly described in Schedule A (Property Description) on file in the Town Clerk's Office; and

WHEREAS, if the district extension is approved, the properties within the proposed extension will be eligible to receive the drainage services available to other properties within the Chili Consolidated Drainage District. No drainage improvements are proposed to be constructed within the proposed district extension by the Chili Consolidated Drainage District at this time.

WHEREAS, as stated in the Petition, all costs relating to the formation of the district extension shall be paid by the petitioners.

WHEREAS, except as otherwise provided above, all expenses of the Chili Consolidated Drainage District, including all extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended; and

WHEREAS, the estimated cost to the typical property, and, if different, the typical one or two family home within the Chili Consolidated Drainage District, in the first year following the formation of the district extension for debt service and operation and maintenance charges, is as follows:

Typical Property: _____ \$0.00 _____

Typical One or Two Family Home: _____ \$0.00 _____

WHEREAS, the proposed district extension is an Unlisted Action for the purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder ("SEQRA"); and

NOW THEREFORE, it is hereby,

RESOLVED that the Chili Town Board is hereby designated "Lead Agency" for the environmental review of this proposed action; and be it

ORDERED, that a meeting of the Town Board of the said Town of Chili shall be held at the Chili Town Hall, 3333 Chili Avenue, Town of Chili, New York on the 1st day of October, 2008, at 7:00 p.m. to consider the said Petition and to hear all persons interested in the subject thereof and for such other action on the vote of said Town Board in relation to the said Petition as may be proper or required by law; and it is further

ORDERED, that the Town Clerk of the Town of Chili is hereby authorized and directed to publish a copy of this order in the Gates-Chili News and post a copy of the same on the bulletin board in the Office of the Town Clerk, not less than ten (10) days, but not more than twenty (20) days, prior to the date set for said public hearing.

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

UNANIMOUSLY APPROVED

RESOLUTION #260 NYS ASSESSORS ASSOCIATION TRAINING

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that Linda Leach is authorized to attend the NYSAA Annual Meeting and Fall Conference on Assessment Administration, September 21-24, 2008 at Hudson Valley Resort, Kerhonkson NY. Total cost not to exceed \$900.00. To be paid from A1355.4 (Assessor – Contractual) as budgeted.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: I think it was an unfair statement in regards to them to get rulers, made by one of the speakers. I think they're well aware of the situation. You have trained professionals on a volunteer and a paid level that work out of that fire office, so I think that comment was unwarranted. I think they're -- they are professional. I know they are professionals, so they -- they're a great benefit to this community.

COUNCILWOMAN SPERR: Absolutely.

SUPERVISOR DUNNING: I agree. Thank you.

RESOLUTION #261 RE: 2008 New York State Fire Marshals and Inspectors Annual Seminar

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

WHEREAS, the inspectors in the Fire Marshal's office require annual training credits to maintain their NYS Fire Inspector certifications,

BE IT RESOLVED that Scott Miller, Fire Marshal, and David Saur, Deputy Fire Marshal, be allowed to attend the 2008 New York State Fire Marshals and Inspectors Seminar from October 21 - 23, 2008 in Montour Falls, NY to obtain training credits towards their NYS certifications, at a cost not to exceed \$600.00 from A3410.4 (Fire Marshal -- Contractual).

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question about what this was for. This was for some equipment for this vehicle 452 that was purchased.

This -- actually, you know what? David (Lindsay), I'm going to let you explain it.

DAVID LINDSAY: This was for equipment in electric --

SUPERVISOR DUNNING: Can you --

DAVID LINDSAY: I'm sorry. Truck 452 is one of our dump trucks. It's equipment that was purchased as an electric tarp system, as well as -- of the associated pieces that go along with that.

Typically in the past Mr. Carr would have included these in with the resolution for the pieces of equipment, and in this case it was just, I think, missed. I don't have a reason why, but it's -- it's required equipment really that should go along with the vehicles, so we're just trying to purchase that equipment for this vehicle now.

SUPERVISOR DUNNING: Thank you.

RESOLUTION #262 RE: Budget Resolution

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED to transfer \$2,661.00 from A1990.4 (Contingency) to A8540.2 (Drainage-Equipment) for additional equipment required relating to purchase of Vehicle #452.

UNANIMOUSLY APPROVED

RESOLUTION #263 RE: Chili Fire Department Length of Service Award Program Update Plan and Trust Documents

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

WHEREAS, the Special Commentary section of the December 31, 2006 Annual Report for the Chili Fire Department, Inc. Service Award Program recommends the Plan Document, Point System, Trust Document and Plan Summary be updated; and

WHEREAS, the 2008 budget includes \$1,500 for this update,

NOW, THEREFORE, BE IT RESOLVED, Supervisor Dunning is authorized to enter into an agreement with Penflex Inc to draft a Plan Document, Point System, Trust Document and Plan Summary to be paid from SF-104-9025.8 (Chili Fire Department Service Award Program).

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Comment was made in regard to the Chair of the Committee as John Martin earlier, and it's Jim Martin. Just for clarification by one of the residents.

SUPERVISOR DUNNING: Thank you. I didn't catch that.

COUNCILWOMAN SPERR: I didn't hear that.

RESOLUTION #264 RE: Authorization of Attendance at the Planning & Zoning Conference

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that Jim Martin and one other member of the Planning Board, and two members of the Zoning Board of Appeals, are hereby authorized to attend the Planning & Zoning Conference, Oct 12-14, 2008 in Saratoga Springs, at a cost not to exceed \$1,100.00 from A8020.4 (Planning), \$1,000.00 from A8010.4 (Zoning) per person plus mileage and tolls.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: Why is it taking so long, January 9th? This was from -- this is what we spent to clean up in excess of what -- you want to go ahead.

DAVID LINDSAY: I can offer clarification on that. The bills were generated back in -- we had the bills generated back in February from Terry Tree. There was some discrepancy in what Terry Tree was charging us for the tipping fees. It took a little time to negotiate the billing irregularities, and it was finally finished in July, I think it was.

RESOLUTION #265 RE: Budget Transfer Resolution

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

BE IT RESOLVED to transfer \$30,000 from General Fund unappropriated surplus to A8160.4 (Refuse & Garbage) to cover cleanup costs for the January 9, 2008 windstorm.

UNANIMOUSLY APPROVED

RESOLUTION #266 RE: Office Clerk IV

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Schulmerich

WHEREAS, the Town Justices for the Town of Chili have requested that the Town immediately fill a vacancy created by the recent resignation of one of the court clerks; and

WHEREAS, the Town Board has determined that it is in the best interests of the Town to hire someone to provide clerical and administrative support to the Town Justices; and

WHEREAS, the Town Supervisor has researched the matter with the Monroe County Civil Service Commission and has been advised by the Commission that the Town may immediately hire an individual to assist the Town Justices with the temporary civil service title of Office Clerk IV;

IT IS HEREBY RESOLVED THAT, the Town Board approves the immediate hiring of Laurie Beebe into the temporary civil service title of Office Clerk IV at an annual salary of \$24,794.00 with the understanding that this position may be retitled by the Monroe County Civil Service Commission upon that Commission's review and approval of a position description that is currently being developed.

UNANIMOUSLY APPROVED

RESOLUTION #267 RE: Credit Card Payment for Taxes

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilman Slattery

WHEREAS, the County of Monroe, M&T Bank and Hamer Enterprises have arranged for payment services enabling taxpayers to utilize credit cards for payment of their real property taxes; and

WHEREAS, Richard Brongo as Receiver of Taxes has been presented with contracts and

merchant agreements by entities under contact with the County of Monroe to provide this option for Chili Taxpayers at no cost to the Town of Chili,

NOW, THEREFORE, BE IT RESOLVED, that Richard Brongo, Receiver of Taxes is authorized to execute the necessary agreements with M&T Bank, Hamer Enterprises and other third parties to authorize Payment of real estate taxes by credit card at no cost to the Town of Chili; and

IT IS FURTHER RESOLVED, that Richard Brongo as Receiver of Taxes/Town Clerk is hereby designated as the Project Manager for this effort.

UNANIMOUSLY APPROVED

RESOLUTION #268 RE: Anchor Systems Building Training Program

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

WHEREAS, Anchors Systems offers construction training programs for building systems;

BE IT RESOLVED that Pat Sheridan be allowed to attend the Simpson Strong Ties Training Program on November 12, 2008 offered by Anchor Systems at the RIT Inn & Conference Center, there is no fee associated with this training program plus mileage.

UNANIMOUSLY APPROVED

RESOLUTION #269 RE: Drainage Committee

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

BE IT RESOLVED that Tim Condon shall be appointed as the Vice Chairperson of the Drainage Committee and paid at a rate of \$20.00 per meeting attended; and

BE IT RESOLVED that Tim Condon shall be paid at the rate of \$35.00 for any meeting served as Chairperson for the calendar year 2008; expenses to be submitted by voucher as incurred.

UNANIMOUSLY APPROVED

RESOLUTION #270 RE: August 20, 2008 Abstract

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich

WHEREAS, January 2, 2008 Resolution #1 authorized vouchers to be paid August 20, 2008 by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 4177-4360 totaling \$76,294.06 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 4177-4360 were paid from the following funds:

General Fund	\$ 41,182.61
Highway Fund	\$ 25,619.16
H44 2007-8 Annual Update	\$ 1,073.25
Consolidated Drainage	\$ 7,133.52
Special Light Districts	\$ 1,285.52
Total for Abstract	\$ 76,294.06

UNANIMOUSLY APPROVED

RESOLUTION #271 RE: September 3, 2008 Abstract

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED to pay vouchers 4592-4788 totaling \$247,170.28 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund	\$ 105,111.71
Highway Fund	\$ 19,092.73
H10 Highway Equipment Reserve	\$ 106,994.80