

CHILI TOWN BOARD
January 13, 2016

A meeting of the Chili Town Board was held on January 13, 2016 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

PRESENT: Councilman Brown, Councilman DeCory; Councilman Slattery, Councilwoman Sperr and Supervisor David Dunning.

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

The invocation was given by Virginia Ignatowski.

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

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speaker addressed the Town Board on various subjects: Dorothy Borgus. The Public Forum concluded at 7:04 p.m.

SUPERVISOR DUNNING: I will address the questions that were brought up as we get to those resolutions.

MATTERS OF THE SUPERVISOR:

SUPERVISOR DUNNING: Quite frankly, I don't have anything new to address this evening.

Pending Matters:

1. Vacancy BAR (Temp Member) Committee, Conservation Board, Ethics Committee, Traffic & Safety Committee.

SUPERVISOR DUNNING: We have -- under Pending Matters, we do still have vacancy on our Board of Assessment Review for a temporary member and also on our Conservation Board, Ethics Committee and our Traffic and Safety Committees. So anybody that may be interested in volunteering to be a part of any one of those, we would appreciate hearing from you.

MATTERS OF THE TOWN COUNCIL: Nothing to report.

The 12/30/2015 Town Board meeting minutes were approved as submitted.

REPORTS SUBMITTED:

Advanced Payment of Claims – December 2015
Building Department Report – December 2015
Dog Control Report – December 2015, 2015 Y/E Report
Historic Preservation Board Minutes – 12/14/2015
Recreation Revenue Report – December 2015
Town Clerk Report – December 2015

CORRESPONDENCE:

1. Mrs. Ignatowski has received formal notification from Chili Convenience Mart, Inc. 3774 Chili Avenue, Rochester, New York 14624 that they have made application for a Liquor License with the State Liquor Authority.

RESOLUTION #93 RE: Donation to Senior Center Trust & Agency Account

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

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

WHEREAS, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to accept a \$200 donation from the offices

of Doctors William and Christopher Calnon and Cilano to be deposited in the Senior Center Trust and Agency.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #94 RE: Use of Incentive Zoning Funds

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

WHEREAS, December 28, 2007, Resolution 346 accepted the Incentive Zoning Agreement with the University of Rochester and on December 5, 2012, Resolution 322 extended the agreement through 2017; and

WHEREAS, Section A(3) of the agreement states the incentive zoning funds are to be used accordance with the terms of the current section 115-89 Zoning Code; and

NOW, THEREFORE, BE IT RESOLVED, incentive zoning funds received in 2016 shall be deposited in the Sidewalk Reserve Fund.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #95 RE: Recreation Staff

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

BE IT RESOLVED that per the recommendation of Michael Curley, Parks and Recreation Director, the following people be appointed Part-Time Recreation Program Staff pending background check, as needed, and shall be paid at the rate of \$9.00 per hour, or \$9.75 per hour if working the Before School Care SAFE program, effective January 1, 2016; expenses to be paid by voucher as incurred:

Gina Pellerino & Austin Butts

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #96 RE: Chili Fire Department Addition to Active List

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

BE IT RESOLVED that the following individual(s) be added to the Chili Fire Department active list effective December 31, 2015 & 1/11/2016:

(12/31/2015 - Simeone Petrarca) & (1/11/2016 – Timothy Ekstrom)

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #97 RE: Chili Fire Department Removal from Active List

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

BE IT RESOLVED that the following individual(s) be removed from the Chili Fire Department active list effective December 31, 2015, January 1, 2016 & January 11, 2016:

(12/31/2015 - Bart Boyce Jr., Jeremy Sibbald & Brandon Sisson)
(1/1/2016 – Matt Pillsbury & Patsy Iacovangelo), (1/11/2016 Lauren Schneggenburger & Sean Simms)

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #98 RE: Chili Fire Department Exempt List

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Slattery

BE IT RESOLVED that the following individual(s) be removed from the Chili Fire Department active list to the CFD Exempt List effective December 31, 2015:

Phil Christopher

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #99 RE: Clifton Fire Department Addition to Active List

OFFERED BY: Councilman DeCory SECONDED BY: Councilman Brown

BE IT RESOLVED that the following individual(s) be added to the Clifton Fire Department active list effective December 8, 2015:

Edward Englerth

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #100 RE: County All Seasons Agreement

OFFERED BY: Councilman Brown SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to authorize the Town Supervisor to execute the All Seasons Agreement between the Town of Chili and the County of Monroe. The term of the Agreement is from January 1, 2016 through December 31, 2016 with additional one-year term extensions upon mutual written consent of the parties for additional one-year terms for a maximum agreement term of ten years ending December 31, 2016. Said Work Agreement covers work on County highways preformed by the Town and paid for by the County of Monroe.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #101 RE: Resolution determining the SEQR significance upon the Town Board Action to adopt the Town of Chili Bicycle and Pedestrian Master Plan

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, the Chili Town Board (hereinafter referred to as Town Board), has received from the Town of Chili Bicycle and Pedestrian Master Plan Steering Committee (hereinafter referred to as Committee), a Final Draft of the Town of Chili Bicycle and Pedestrian Master Plan (hereinafter referred to as the Plan); and

WHEREAS, the Town Board conducted a Public Hearing at the November 18, 2015 meeting upon the Action to adopt said Draft Plan; and

WHEREAS, said Action is classified as a Type I Action under the provisions of Article 8 of the State Environmental Conservation Law, Part 617, Section 617.4 (b) (1) in that said Plan is a comprehensive resource management plan; and

WHEREAS, the Town Board, is the only involved Agency under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has received, reviewed and has accepted Parts 1, 2 and 3 of the Full Environmental Assessment Form, for the Action to adopt the Town of Chili Bicycle and Pedestrian Master Plan; and

WHEREAS, the Action is not subject to an advisory referral to the Monroe County Department of Planning & Economic Development under the provisions of Sections 239-l & -m of the New York State General Municipal Law; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;
- (ii) there will not be large quantities of vegetation or fauna removed or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources;
- (iii) there are no known Critical Environmental Area(s) which will be impaired as the result of the proposed action;
- (iv) there will not be a material conflict with the community's current plans or goals as officially approved or adopted;
- (v) there are no known important historical, archeological, architectural, or aesthetic resources, or will the proposed action impair the existing community or neighborhood character;
- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action;
- (vii) there will not be any hazard created to human health;
- (viii) there will not be a substantial change in the use, or intensity of use, of land including open space or recreational resources, or in its capacity to support existing uses;
- (ix) there will not ultimately be a larger number of persons attracted to a place or places for more than a few days when compared to the number of persons who would come to such a place absent the action;
- (x) there will not be created a material demand for other actions that would result in one of the above consequences;
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related actions which would have a significant impact upon the environment.

BE IT FURTHER RESOLVED, that based upon the information and analysis above and the supporting documentation, the Board determines that the proposed action WILL NOT result in any significant adverse environmental impacts; and

BE IT FURTHER RESOLVED, that the Board directs the Town Supervisor to sign Part 3 of

the Full EAF identifying this determination of non-significance; and

BE IT FINALLY RESOLVED, that the Board directs that copies of this determination be filed as provided for under the SEQR Regulations, including publishing in the State's Environmental Notice Bulletin.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I would just like to thank the Traffic Safety Committee as lead agent that worked on this pedestrian study and plan with our consultants and for their dedication in this and also, David Lindsay, for your help and assistance with this. I think this will serve the Town well in the future.

Thank you.

RESOLUTION #102 RE: Adoption of the Town of Chili Bicycle and Pedestrian Master Plan

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Brown

WHEREAS, the Chili Town Board (hereinafter referred to as Town Board), at a public hearing held on Wednesday, November 18, 2015 received public comment upon the proposed adoption of the final draft of the Town of Chili Bicycle and Pedestrian Master Plan (hereinafter referred to as Action); and

WHEREAS, said Action is part of the maintenance of the Town of Chili Comprehensive Planning Program, as provided for under Section 272-a of New York State Town Law; and

WHEREAS, referral to the Monroe County Department of Planning and Economic Development under the provisions of Sections 239-l and -m of the New York State General Municipal Law, is not required; and

WHEREAS, the Town Board has given consideration to the public hearing record created upon said Action; and

WHEREAS, the Town Board has completed its required review under the provisions of the State Environmental Conservation Law, Article 8, Part 617, making a Determination of Non-Significance thereon; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt the Town of Chili Bicycle and Pedestrian Master Plan, prepared by Steinmetz Planning Group; and

BE IT FURTHER RESOLVED, that said Action is hereby made part of the adopted Town of Chili 2030 Comprehensive Plan; and

BE IT FURTHER RESOLVED, that said Plan is to be maintained by the Town Board in the manner described in the Implementation Chapter of the Town of Chili 2030 Comprehensive Plan Document; and

BE IT FINALLY RESOLVED, that the Town Supervisor is directed to publish copies of the Town of Chili Bicycle and Pedestrian Master Plan for the public to purchase, and to file copies of the Official Plan Document with the Monroe County Department of Planning and Economic Development, the Town Clerk's Office, the Town Commissioner of Public Works, the Town Engineer, the Chili Town Library and to post the adopted Plan, in its entirety, upon the Town's Official Website www.townofchili.org

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I would like to make a comment on this. If you didn't see the

State of the -- State of the State address today, the Governor did claim that this year this budget included action that created the parity the local municipalities were looking for, but I -- but we'll see if that is actually the way he has laid it out to be. But according to that, this is happening.

COUNCILMAN SLATTERY: Actually --

SUPERVISOR DUNNING: And I would also like to thank, you know, David Lindsay and all of his partners across the County that really spent the time to, you know, kind of advocate for some of this. I recently went to a press conference where several of the local leaders were there to really support to get this parity and make sure we were being treated at the same level as Downstate is.

So David (Lindsay), thank you for your participation also.

COUNCILMAN SLATTERY: Actually, Supervisor in regards to that, the CHIPS formula is a formula that if you can figure it out, then you're going to be -- they will give you some huge award, but it is not fair across New York State for the different towns on how the CHIPS funding formula is set up. And in regards to the CHIPS funding, when you look at the funding that is coming back to the municipalities, it is so out to date, the funding has not increased and they -- they'll -- they through in a severe storm or beautification thing a couple years ago, but it really doesn't do justice for the amount of infrastructure that we have out there, the roads, the bridges, the culverts that need to be replaced or worked on. And that's why Albany really needs to modify that formula, change it so it is fair across the board.

When you look at what some of the funding that -- some of the municipalities are getting, they can't survive. They can't keep up with the demand. And when you go back ten years where the funding is, when you look at the cost of material, the labor, the equipment, it's -- they're behind the eight ball. You know, we're trying to play catch up. Fortunately, Dave (Lindsay) put together -- Mr. Lindsay put together a great program for us and he is also looking at other avenues. Instead of going out doing mill and fill, he is going out surface treating or doing other things, different applications, the hot in place, no chips, something that is going to help us get some life in the roads. Because we just can't afford to keep milling filling, you know, putting down that asphalt. Fortunately, it is -- has dropped down and the price has gone down last year, but you know in the history, it's really been difficult.

SUPERVISOR DUNNING: And going even beyond that, you look at the disgrace that we have in the Town Chili with the James E. Widener Memorial Bridge. That's a bridge that is dedicated to a guy that gave his life to his country and they let that bridge go to like that. The State's solution to something like that is not funded, not put money behind it, but to close it. That's just wrong. That is very, very wrong. We have bridges and roads that are in desperate need of repair. Hopefully the Governor is going to hold true to what he said and we'll start seeing some of that starting to flow our way.

COUNCILMAN SLATTERY: Also, our State representatives need to work with us on that, as well. You know, we have -- Senator Ranzenhofer has been great and helped us out with some other things, but it's a challenge what is going on in Albany and hopefully now with the certain things that took place, they will step up and realize how important it is to help out the constituents that put them in office.

But you know the people, if you look at the -- in Ogden, you know, the -- or you go to the out -- the towns outside of Monroe County that have the canal that goes through there, how they're closing canal bridges and now for farmers, they may have to go ten miles down the road. You think ten miles really is nothing but not when they have to take that equipment, they have to go that far and you know -- the whole impact on them. And everybody else. So...

COUNCILWOMAN SPERR: The State fell so far behind because they are paying off so much debt that the percentage of gas tax doesn't really cover what it was intended to cover and the amount they share and give back to the roads program is not enough. It's a tricky situation, but if they stay focused and try to help us on our -- and be fair to us.

COUNCILMAN SLATTERY: Actually, technically the gas tax is not staying where it was supposed to. They're taking the gas tax and funding other areas of the budget. So if they kept it for in the infrastructure, the roads, the bridges it was supposed to go for, then, you know, we would have a lot more money there to be able to do things.

COUNCILWOMAN SPERR: Right.

COUNCILMAN SLATTERY: I'm sorry.

SUPERVISOR DUNNING: You're fine. Just --

I wish the State ran more like the Town does.

Any other questions or comments?

RESOLUTION #103 RE: Calling on the State of New York to Restore Funding Parity Between the Capital Plans of the Metropolitan Transportation Authority (MTA) and the NY State Department of Transportation and to Increase Funding for Local Roads

OFFERED BY: Councilman Brown

SECONDED BY: Councilman DeCory

WHEREAS, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT Capital Program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' Capital Programs; and

WHEREAS, Governor Andrew Cuomo and Mayor de Blasio recently announced an agreement to jointly subsidize the Metropolitan Transportation Authority's (MTA) nearly \$11 billion funding gap for its 2015-19 five-year capital program; and

WHEREAS, as part of this agreement, the Governor is committing \$8.3 billion in state resources to cover the MTA plan's multi-year deficit; and

WHEREAS, while we may agree that this vital investment in downstate transit is needed, the state has yet to develop a new NYSDOT 5-Year Capital Plan designed to assess current conditions and determine investments needed to provide for the future needs of a modern, safe, reliable and efficient multimodal transportation system; and

WHEREAS, the enactment of the FAST Act, a fully funded five-year authorization of federal surface transportation programs that provides long-term federal funding predictability, should now facilitate the state to develop and fund a Transportation 5-Year Capital Plan; and

WHEREAS, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year Capital Programs would be similar in size and would be negotiated concurrently and for nearly two decades, through 2009, the parity agreement was honored and both five-year capital programs were similar in size as well as adopted within a month of each other. It is necessary to once again restore parity between the programs; and

WHEREAS, County and locally-owned roads and bridges account for 87 percent of the State's 110,000 miles of roadways and 50 percent of the State's 18,000 bridges and local governments are also responsible for a vast system of aging culverts. These locally-owned transportation facilities are deteriorating at a rapid rate as Town's and Counties continue to struggle to find adequate funding for their maintenance and replacement; and

WHEREAS, according to the State Comptroller estimates there will be \$89 billion in unmet local infrastructure needs over the next 20 years according to a 2014 Comptroller's report and that thirty four percent (34%) of bridges are deficient and forty-eight percent (48%) of road pavements in the state are rated fair or poor and getting worse; and

WHEREAS, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

WHEREAS, funding for our local system has been far short of what is needed and despite well-timed and targeted preventative maintenance treatments we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for condition ratings; and

WHEREAS, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the State and is part of the New York State Department of Transportation (NYSDOT) Capital Program; and

NOW, THEREFORE, BE IT RESOLVED, that Town Board of the Town of Chili, calls upon Governor Cuomo and our State Legislative Delegation to work with our County and other local governments in order to develop and fully-fund a 5 Year Capital Plan that will provide the necessary and proper funding to New York's counties by substantially increasing CHIPS and Marchiselli funding and establishing a 5 year State Aid to Local Bridge and Culvert Program to give them the ability to adequately maintain their infrastructure; and

BE IT FURTHER RESOLVED, that restoring parity between the Department of Transportation's (DOT) highway and bridge five-year capital program and the MTA's capital program will assure each program is funded at a \$26.1 billion level, providing enough resources to help fund the local needs as described above; and

BE IT FURTHER RESOLVED, that The Town Clerk is hereby directed to send a copy of this resolution to Governor Andrew M. Cuomo, the New York State Legislature and all others deemed necessary and proper.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Slattery

WHEREAS, the Building Department Manager of the Town of Chili has filed his report in writing with the Town Board of the Town of Chili containing his findings and recommendations regarding certain structures situated on premises at 3431 UNION STREET, TOWN OF CHILI, NY designated by Tax Map No. 144.12-1-3, in which report said Building Department Manager states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate demolition and removal; and

WHEREAS, the Town Board of the Town of Chili after reviewing said report and after Hearing said Building Department Manager in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structures or their removal; and

NOW, THEREFORE, BE IT RESOLVED, that: (1) notice be given to Louis J. Faust reputed owner(s) of these structures situate on premises on 3431 UNION STREET, TOWN OF CHILI, NY designated by Tax Map No. 144.12-1-3, in the manner required by Chapter 202 of the Code of the Town of Chili, (2) said notice to be served upon said Louis J. Faust reputed owner(s) or by first class mail to their last known residences as shown by the Official Assessment Roll of the Town of Chili, and by affixing a copy thereof upon said structures, (3) said notice shall notify the property owner(s) that the Town Board has scheduled a Public Hearing to consider whether or not an ORDER should be made with regard to the structures on the property ORDERING their REPAIR if the same is feasible, or ORDERING their DEMOLITION and REMOVAL. At the Public Hearing the report of the Building Department Manager shall be considered. Said report recommends that the structures on the property be DEMOLISHED AND REMOVED (“the work”), and all work to be commenced within twenty (20) days of the service of said ORDER and to be completed within forty-five (45) days thereafter, (4) If said work is not commenced within 20 days, said Order may provide that the Town of Chili may perform the work at the expense of the property owner(s), and (i) be assessed & levied against the land on which said structures are located along with legal expenses and/or (ii) to be collected by special proceeding along with legal expenses. (5) A public hearing has been scheduled on February 10, 2016 at 7:00p.m. at 3333 Chili Avenue, Rochester, NY 14624, to consider said ORDER, and (6) the Building Department Manager of the Town of Chili be and he hereby is directed to prepare said notice and arrange for the service thereof in accordance with the requirements of said Chapter 202. The Town Clerk is hereby directed to publish notice of public hearing in accordance with Section 108, in the Gates-Chili Post.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #105 RE: Setting Public Hearing for Demolition or Repair of Structure at 104 Names Road

OFFERED BY: Councilman Brown SECONDED BY: Councilman DeCory

WHEREAS, the Building Department Manager of the Town of Chili has filed his report in writing with the Town Board of the Town of Chili containing his findings and recommendations regarding certain structures situated on premises at 104 NAMES ROAD, TOWN OF CHILI, NY designated by Tax Map No. 147.19-1-54, in which report said Building Department Manager states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate demolition and removal; and

WHEREAS, the Town Board of the Town of Chili after reviewing said report and after Hearing said Building Department Manager in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structures or their removal; and

NOW, THEREFORE, BE IT RESOLVED, that: (1) notice be given to Ralph & Jaye Harmon reputed owner(s) of these structures situate on premises on 104 NAMES ROAD, TOWN OF CHILI, NY designated by Tax Map No. 147.19-1-54, in the manner required by Chapter 202 of the Code of the Town of Chili, (2) said notice to be served upon said Ralph & Jaye Harmon reputed owner(s) or by first class mail to their last known residences as shown by the Official Assessment Roll of the Town of Chili, and by affixing a copy thereof upon said structures, (3) said notice shall notify the property owner(s) that the Town Board has scheduled a Public Hearing to consider whether or not an ORDER should be made with regard to the structures on the property ORDERING their REPAIR if the same is feasible, or ORDERING their DEMOLITION and REMOVAL. At the Public Hearing the report of the Building Department

Manager shall be considered. Said report recommends that the structures on the property be DEMOLISHED AND REMOVED (“the work”), and all work to be commenced within twenty (20) days of the service of said ORDER and to be completed within forty-five (45) days thereafter, (4) If said work is not commenced within 20 days, said Order may provide that the Town of Chili may perform the work at the expense of the property owner(s), and (i) be assessed & levied against the land on which said structures are located along with legal expenses and/or (ii) to be collected by special proceeding along with legal expenses. (5) A public hearing has been scheduled on February 10, 2016 at 7:00p.m. at 3333 Chili Avenue, Rochester, NY 14624, to consider said ORDER, and (6) the Building Department Manager of the Town of Chili be and he hereby is directed to prepare said notice and arrange for the service thereof in accordance with the requirements of said Chapter 202. The Town Clerk is hereby directed to publish notice of public hearing in accordance with Section 108, in the Gates-Chili Post.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #106 RE: 2016 Budget Amendments – Grants

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, on October 16, 2013 on Resolution 232 the Town Board accepted grant from Genesee Transportation Council for the Chili Bicycle and Pedestrian Planning Study, and work has not been completed as of December 31, 2015; and

BE IT RESOLVED to amend the 2016 revenue budget A4089 (Federal Aid) by an increase of \$5,436.20; amend the 2016 expense budget A1440.4640 (Town Engineer – Engineering and Survey) by an increase of \$5,436.20; and

WHEREAS, on October 14, 2015 on Resolution 270 the Town Board accepted a grant for Bullet Aid from New York State and Senator Ranzenhofer which is to be used for the purpose of providing children’s programming, updating technology and improving the library, and work has not been completed as of December 31, 2015; and

BE IT RESOLVED to amend the 2016 revenue budget L3840 (State Aid for Libraries) by an increase of \$11,000.00; amend the 2016 expense budget L7410.2 (Library – Equipment) by an increase of \$11,000.00; and

WHEREAS, on October 14, 2015 on Resolution 270 the Town Board accepted a Family Literacy Programs grant from New York State which is to be used for the purpose of providing family literacy programs as well as adult workforce materials, and work has not been completed as of December 31, 2015; and

BE IT RESOLVED to amend the 2016 revenue budget L3840 (State Aid for Libraries) by an increase of \$646.00; amend the 2016 expense budget L7410.4089.9780 (Library – Other Operations & Maintenance – Juvenile) by an increase of \$393.00; and amend the 2016 expense budget L7410.4071 (Library – Books) by an increase of \$253.00.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I just wanted to make a comment. I worked with Ron Richmond on the Traffic and Safety Committee before he moved to Zoning. Very dedicated and knowledgeable individual and we're happy to see him contribute to the Town.
Thank you.

RESOLUTION #107 RE: Planning Board

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that Ron Richmond be appointed to the Planning Board for a seven (7) year term as of 2/1/2016; term to expire on December 31, 2022; and shall be paid the sum of \$90.00 per meeting attended for the calendar year 2016.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: There was a question about this person. Mr. Valerio is a schoolteacher at the Gates-Chili School District, has no relationship with the party to which the questioner was asking about, no relationship at all. Not in business or anything. He is a schoolteacher. Nice young man and we welcome him.

COUNCILMAN SLATTERY: And he is working on the Town Committee now.

SUPERVISOR DUNNING: He is working on the Chili Center Master Plan Committee right now. Yes.

COUNCILWOMAN SPERR: Which will be great assistance for that in that position.

RESOLUTION #108 RE: Zoning Board

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that James Valerio be appointed to the Zoning Board to complete the term of Ron Richmond as of 2/1/2016; term to expire on December 31, 2017; and shall be paid the sum of \$84.00 per meeting attended for the calendar year 2016.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: Question on this, it is not so much we're in a hurry. It is apparently the errors made by -- the Gates-Chili Post published our ad in the Greece Post rather than the Gates-Chili Post. Being it was not published in the official newspaper of the Town of Chili, we felt it necessary to reintroduce this to start the clock again for the -- for the appropriate times and dates that need to be made in order for us to publish this properly and let the public know about the opportunity for referendum.

So any other questions or comments?

RICHARD STOWE: I have one.

SUPERVISOR DUNNING: Mr. Stowe.

RICHARD STOWE: There were -- there were three resolutions at the same meeting that were passed of the same variety as this. And my understanding from our Town Clerk is that two of the three were properly published by our official newspaper. The third being incorrectly published.

I was also informed that our official newspaper is going to bear the cost of the publication in the proper mode. And the comment that was made earlier was that this needed to be done legally. This needs to be done this way to cover an error that no one in this place made but rather an error that the Greece Post made -- or the Gates-Chili Post made by publishing it in the Greece Post.

So not to do this would be an issue, and it's not erasing. It is doing everything at the same time. We have to redo this due to their error, nothing that occurred here.

SUPERVISOR DUNNING: Thank you.

RICHARD STOWE: You're welcome.

COUNCILMAN SLATTERY: I feel better that we're not doing anything wrong.

COUNCILWOMAN SPERR: Me, too.

SUPERVISOR DUNNING: I think it was made pretty clear.

COUNCILWOMAN SPERR: Me, too.

RESOLUTION #109 RE: RE-Introduce Resolution #78 of 2016, Budgeted Use of Highway Equipment Reserve Funds

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman Sperr

WHEREAS, required public notice was not posted in the official newspaper within the required time; and

WHEREAS, on November 18, 2015, on Resolution 276 the Town Board adopted the 2016

Annual Town Budget, which noted the desire to utilize reserve funds to purchase specific pieces of equipment; and

WHEREAS, the Highway Equipment Reserve has been established to aid in the acquisition of vehicles and equipment for the Town's Highway Department; and

NOW, THEREFORE, BE IT RESOLVED, that funds in an amount not to exceed \$75,000 from the Highway Equipment Reserve be used towards the purchase of a new dump truck, subject to Permissive Referendum; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to give notice in the official newspaper of the Town.

Councilman Brown - Aye
Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

The next meeting of the Chili Town Board will be Wednesday, February 10, 2016 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.

The meeting was adjourned at 7:18 p.m.