

CHILI TOWN BOARD
April 13, 2016

A meeting of the Chili Town Board was held on April 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.

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on April 29, 2016 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss the demolition of structures at 3431 Union Street

Attendance as previously noted in the 4/13/16 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

DAVID BACON

MR. BACON: Good evening. My name is David Bacon. This is my wife, Diane, and we're speaking on behalf of Louis Faust, who is the owner of 3431 Union Street.

Recently my wife and I were made aware of the Order to have that structure demolished, and that's been within the past week. I accompanied my wife's aunt, Marilyn Faust, who is the sister of Louis Faust, and spoke to Miss Ignatowski here concerning that structure and we would like to remove it ourselves instead of having the Town remove it at the Town's cost. And obviously we would like to pick up the cost ourselves. We were not quite sure of the procedure at this point, having come late in the procedures and just wondering how we can come to some sort of agreement here. Again, we're kind of new to the situation.

MS. BACON: We do have --

MR. BACON: He have made contact with a number of different people at this point. Paul Mahoney with Envoy Environmental Services, in order to get an environmental survey on that piece of property before we can apply for a permit to have that -- have the structure demolished at this point. And that work would be carried out by Gary Federico Wrecking.

SUPERVISOR DUNNING: The -- the process in this -- we hold this Public Hearing -- actually, we did hold a Public Hearing, but apparently there were some notice issues. We did hold it a couple months ago. We desire just to keep the process going in the event that you were unable -- certainly, we would prefer for you to take it down and demolish the property. However, we do want to see that happen in a timely fashion.

MR. BACON: We think --

SUPERVISOR DUNNING: We know the property has been in disrepair for many, many years and it is really time. And I am sure you will agree the property is in severe disrepair and needs to be removed.

MR. BACON: Yes.

SUPERVISOR DUNNING: What I will say to you, at this point, we'll continue our processes here, but I would suggest that you work with our Building Department, as well as Mr. Lindsay, the Commissioner of Public Works. In the meantime, should they come back and advise us that they have a solid plan to have the houses demolished, we would certainly respect that and we would likely back off and not -- but if we stop the process before we do these Public Hearings, the time just keeps dragging on and on and we don't want to do that.

MR. BACON: We certainly want to meet the deadlines you have outlined in your letter to my father-in-law. We believe we can get the process started within the 20-day time limit you have and certainly the 45 days after that we can have the structure removed.

SUPERVISOR DUNNING: Typically after a Public Hearing of this nature -- we hear from anybody that has anything to say about the particular property. We would not vote to go ahead and move forward on it until a following meeting, and that doesn't happen until May 15th, I believe is the next meeting of the Town Board.

COUNCILMAN SLATTERY: May 11th.

SUPERVISOR DUNNING: May 11th, I'm sorry, which is the next meeting of the Town Board which is when this would come up for a vote for the Town Board to allow to it move forward. That doesn't necessarily mean on the 12th that we would be in there with bulldozers and tractors taking the property down. There is more process to that.

DAVID LINDSAY: I was just going to suggest that I can pass on my contact information to them and arrange a meeting with myself and the Building Department Manager with these folks here and kind of get an assessment where they are with the process and report back to you if you would like.

SUPERVISOR DUNNING: That would be great if you could do that. Again, I just want them to understand that we continue the process, just because we don't want any delays and should something happen on your end, that you can't move forward on it.

Richard Stowe arrived.

SUPERVISOR DUNNING: So we'll continue. But they want to work with you again. We want you to do it. We don't really want to do it.

MR. BACON: We certainly understand the liability both involved both for the Town and for the owners of the property.

COUNCILWOMAN SPERR: Actually good to hear.

SUPERVISOR DUNNING: We want to work with you.

MR. BACON: Great. Great. Thank you very much.

SUPERVISOR DUNNING: Is there anyone else that would like to speak at this Public Hearing? Seeing none, I will close this Public Hearing.

The Public Hearing was closed at 7:06 p.m.

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on April 13, 2016 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:07 p.m. to discuss demolition of structures at 104 Names Road.

Attendance as previously noted in the 4/13/16 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:07 p.m.

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on April 13, 2016 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:07 p.m. to discuss Local Law # ___ of 2016 amending the Town Code adding a new Chapter called "Town of Chili Best Value Contract Award Law."

Attendance as previously noted in the 4/13/16 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

SILAS HULSE, 39 Weatherwood Lane

MR. HULSE: My name is Silas Hulse, 39 Woodward Lane. I have a question regarding this. Why is this being brought about as far as best value? What defines best value?

SUPERVISOR DUNNING: It allows us to piggy-back, if you will, off of contracts used by other municipalities and allows us to get in services at best value. It doesn't -- this doesn't permit us to work outside of any labor laws or anything like that. It allows us to piggy-back off of other contracts from other municipalities and get a better or lower cost. I don't know, David (Lindsay), if you have anything more on that, or Dan (Knapp). It is just -- it simply.

MR. HULSE: Still competitive bid?

SUPERVISOR DUNNING: Yes. Absolutely.

MR. HULSE: Still competitive bid?

SUPERVISOR DUNNING: Yes. But limited. If -- if -- you want to take a stab at it, Rich (Stowe)?

RICHARD STOWE: Not particularly. I want to apologize for being late.

The -- the public bidding requirements under Section 103 of the General Municipal Law are pretty rigid, okay? Today we can still buy off a County contract or off a State bid contract as an exception to Section 103 of the General Municipal Law. The State Legislature passed a statewide bill that allows municipalities that choose to to pass a Local Law, like is before the Board tonight, to give them even greater flexibility under the General Municipal Law and still comply with the intent and spirit of the General Municipal Law to allow municipalities to -- to get the lowest price possible for items that others have bid on, that they can demonstrate we are

still getting the best value to the municipality, but not necessarily what would have been the lowest bidder if you had gone out and spec'd it. Okay?

So this is -- this is the State telling all municipalities, "Here's another option for you, if you choose to utilize it, that still complies with the requirements of State Law."

The -- the long and the short of this Local Law is that Chili has had, I'm going to say, almost half a dozen opportunities in the last few years since this law came into existence and it was allowed to be an option where if we had had it on the books, we would have utilized that option.

Instead, we bid it and we weren't sure that we were getting actually the best value for Chili. So we're passing this law to make that an option for us, as well. It's not collusive. It's not under-handed. It's not anything that isn't recognized by State Law. It is simply a local option that this Board is considering taking advantage of.

MR. HULSE: Does it still have to become part of Public Forum if you opt to do something above and beyond? Say you take a low bid. A low bid is out there, and you find it -- the next price up is a better value for the Town, then actually the lower bid --

RICHARD STOWE: Under this law, we would have to be able to confirm that we still met the spirit of the General Municipal Law lowest and best value. It isn't necessarily something that has an open bidding process like it would if we had -- we were building new a Public Works facility and we had to have separate contracts and the ceremony that goes on with the bidding -- that probably will not occur under this Local Law. But we can only utilize this if we can demonstrate that it is still the best value and that it has gone through a similar but different process.

MR. HULSE: Okay.

RICHARD STOWE: I don't want to sound like I'm weaseling on an answer, but that's honest. That's honest.

COUNCILWOMAN SPERR: It states right in here the first law, it provides local governments greater flexibility in awarding contracts. So that allows us the opportunity if the Town of Greece were to bid on something, we're bidding on a similar, whatever it is, and they get a better price, this gives us the flexibility maybe to get that same price they got, because when we would go to bid, we might get a higher one. That should save everyone money. That's the spirit of it. In simplistic terms.

RICHARD STOWE: That's accurate.

MR. HULSE: Will that sort of be tied in with something else on tonight's agenda?

RICHARD STOWE: No, no, no.

SUPERVISOR DUNNING: This is a Public Hearing for this particular -- this is just a Public Hearing. We're not voting on this particular thing tonight.

MR. HULSE: Okay.

COUNCILWOMAN SPERR: Just to hear what you have to say.

COUNCILMAN BROWN: There is nothing else related to award --

RICHARD STOWE: Right, correct. We're not passing this so we can award a contract under it -- no.

MR. HULSE: I know there is another thing I want to speak on, but that has not been brought up yet. I will step down.

SUPERVISOR DUNNING: It's all you tonight.

MR. HULSE: All me.

COUNCILMAN SLATTERY: Only other time you will be able to speak is during the Public Forum which is going to be taking place in a minute or two here.

SUPERVISOR DUNNING: You might not want to sit down yet.

COUNCILWOMAN SPERR: Stay there.

RICHARD STOWE: You're not taking the floor from anybody else.

COUNCILMAN BROWN: Nice of you to give up your seat for someone. (Laughter.)

SUPERVISOR DUNNING: For the sake of process, is there anyone else that would like to speak on this Public Hearing?

The Public Hearing was closed at 7:13 p.m.

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: Silas Hulse. The Public Forum concluded at 7:15 p.m.

MATTERS OF THE SUPERVISOR:

New Matters:

3. Chili Art Show, April 29, 30 & May 1, 2016.

SUPERVISOR DUNNING: The Chili Art Group will be holding their annual art show here in this room, starting on Friday, April 29th from 10 a.m. to 9 p.m. I mentioned 10 a.m. to 9 p.m. because that is new. They are having it all day on Friday. They have never done that before, so this is new for them, but they will be here Friday, Saturday and Sunday. So I encourage everyone if you have an interest -- because they really do some nice work. They do

some beautiful work. We have much of it displayed throughout the Town Hall, some of the work these people have done. I encourage you also to be there.

4. Community Shred Day, May 10, 2016.

SUPERVISOR DUNNING: Also on Tuesday, May 10th, from 10 a.m. to 2 p.m., our good friends at Lifetime Assistance are doing a community shred program. We talked to them earlier in the year about probably partnering to do some type of shredding operation not realizing they do this community shred a couple times a year, I believe. Some of the residents have asked us about these services, so we'll direct people over to our friends at Lifetime that does this for free, for our residents and it's a very nice service, so I would like to thank Marty Reeners and the people we have talked to over at Lifetime for their help and cooperation. So it is a nice operation. Again, from 10 a.m. to 2 p.m. on Tuesday, May 10th.

2. Recruit NY, Chili FD April 23 & 24, 2016 both days 11-4, Clifton FD April 23 Only 9-1.

SUPERVISOR DUNNING: The -- you may have seen on our website, both the Clifton and the Chili Fire Departments are holding a recruitment program or recruitment effort right now. We have a little bit of fun we're going to have with the Fire Department coming up, and this may be of particular interest to some of you if you want to have some fun with your Supervisor, on April 23rd, and Saturday -- Saturday, April 23rd and Sunday, April 24th from 11 to 1 p.m. They're going to be hosting or having these recruitment festivities, if you will.

But your Supervisor will be at this event on Saturday in full gear. They have actually found stuff that would fit me. And I will be in full gear and we'll be putting out a fire as a part of -- part of their program there to help the Chili Fire Department promote the recruitment. Like I said, there is your opportunity. If you really want to have some fun and poke some fun at your Supervisor. Some interesting pictures that will make it out on Facebook I'm sure eventually, but I'm looking forward to it.

COUNCILWOMAN SPERR: Sounds like fun.

SUPERVISOR DUNNING: I'm really looking forward to it. I say that this is really an important thing. The event is important. You know, the -- the Fire Department is able to recruit some volunteers. They have really done a good job in the past and this will help them bring in some new people. Hopefully I don't scare them off.

Comments, Mr. Stowe?

RICHARD STOWE: Have you been in one of those suits before?

SUPERVISOR DUNNING: I had a jacket on. We tried the jacket on. But, no. Completely, no.

RICHARD STOWE: Drink plenty of fluid.

SUPERVISOR DUNNING: Plenty of fluids.

COUNCILMAN SLATTERY: Wear ice packs. Underneath the arms and -- it will keep you cool.

SUPERVISOR DUNNING: I don't know if you can even stand up with one of those things on.

COUNCILWOMAN SPERR: Whole new level of appreciation what they do. Seriously.

SUPERVISOR DUNNING: I don't disagree. I am looking -- I am actually looking forward to it.

RICHARD STOWE: May you be able to stomp out the fire.

COUNCILMAN SLATTERY: It's a marshmallow.

SUPERVISOR DUNNING: I hope it's not going to be huff and puff and blow your house down, but it will be fun.

1. Chili Volunteer Ambulance Meeting, April 21, 2016

SUPERVISOR DUNNING: Also, something that should be very important to all of us and hopefully our residents, on Thursday, April -- well, on Thursday, April 20th, in the Town of Henrietta, there will be a public meeting for the potential merger of the Chili, Henrietta and Scottsville volunteer ambulance services.

COUNCILMAN SLATTERY: 20th?

SUPERVISOR DUNNING: Hang on. Henrietta -- in Henrietta, at -- on Calkins Road, we had, April 20th is their meeting at 7 p.m. On Thursday, April 21st, at this -- in this room, will be another public meeting, and then again on Tuesday, April 26, at 7 p.m., the -- the Scottsville EMS fire facility will hold another public meeting. But all three municipalities, areas, are holding public meetings for this potential merger. I strongly encourage minimally for all of you to visit the website to understand what is happening with this, our residents are concerned, and it would be very important thing to understand what they're looking at and why.

I'm not -- I'm looking forward to the public meetings. I have met with the Supervisor and -- Supervisors, and we have had some discussions on this and we're going to wait until after public meetings to hear what the public has to say before we render any decision one way or another what this is.

COUNCILMAN BROWN: Chili presentations April 21st at 7 p.m.?

SUPERVISOR DUNNING: Correct. In this meeting room.

5. Ribbon Cutting Spraypark, June 11, 2016.

COUNCILWOMAN SPERR: Spray ground.

SUPERVISOR DUNNING: Oh, yeah. The spray ground is June?

DAWN FORTE: 11th.

COUNCILWOMAN SPERR: It's on here.

SUPERVISOR DUNNING: Is it on here?

COUNCILWOMAN SPERR: Yes. I thought you wanted to read it.

SUPERVISOR DUNNING: Oh, she did put it here. I am reading it from my notes over here. The spray ground, ribbon cutting for the spray park is June 11th.

What time?

DAWN FORTE: 11:30 to 2:30, I believe.

SUPERVISOR DUNNING: 11:30 to 2:30. Senator Ranzenhofer will be here, and we'll be cutting the ribbon, and hopefully --

COUNCILWOMAN SPERR: Sun shines that day.

SUPERVISOR DUNNING: Hopefully a decent day and not too terribly cold.

Pending Matters:

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

SUPERVISOR DUNNING: Other than that, under Pending Matters we do have vacancies on the Board of Assessment Review for a temp member, Conservation Board, Ethics Committee and Traffic and Safety Committee.

MATTERS OF THE TOWN COUNCIL:

COUNCILWOMAN SPERR: Supervisor, I wanted to make an announcement. Every year I usually like to make an announcement about the Gates-Chili Chamber hosting our community awards dinner gala. This year it will be held on Thursday, May 5th, at the Diplomat and it starts at 5:30 with registration and we sit for dinner at 6:15.

You will see the press releases have gone out. All of the winners of the awards will be announced and you should be able to see those by next week in the -- in the Messenger Post newspaper. And if you want any further information on that, you can always go to the Gates-Chili Chamber of Commerce website.

SUPERVISOR DUNNING: Excellent.

COUNCILWOMAN SPERR: Thank you.

SUPERVISOR DUNNING: New.

COUNCILMAN SLATTERY: Yes, Supervisor -- I'm sorry. I'm not sure if you saw the State's budget, but I know Mr. Lindsay has been very involved. He went to Albany with a lot of the Highway Superintendents, Commissioners of Public Works across New York State advocating for more money for CHIPS and for different funds, and the Town of Chili will be getting approximately 30 -- just over \$39,000 more this year in funding from the State for our road projects, but they did reduce the CHIP dollar amount that we have, as you probably were aware of.

But then they also came up with something new this year, the Pave New York. Unfortunately, at this time, we're not sure of how that Pave New York is going to work, what restrictions they have put on the municipalities on how to spend that money. CHIPS we know what it can be used for, but with the Pave New York funds, which is approximately --

SUPERVISOR DUNNING: 140,000.

COUNCILMAN SLATTERY: Yeah, correct.

So that's great. I know David (Lindsay) worked hard and he met with the different legislators from the Senate and the Assembly, just advocating not only for us but everyone else. I just want to thank David (Lindsay) for his efforts with that.

COUNCILWOMAN SPERR: Michael (Slattery), did you have a number, an estimate of how much our CHIPS money was reduced by?

COUNCILMAN SLATTERY: .02 percent. Less than that.

SUPERVISOR DUNNING: Less than?

COUNCILMAN SLATTERY: Yeah. I know I saw that today.

I'm sorry, 37. 37,000.

COUNCILWOMAN SPERR: Okay. Thank you.

COUNCILMAN SLATTERY: Went from 172,604 to 172,567. Getting older, it is tough to see.

SUPERVISOR DUNNING: I always liked 22 font.

The 3/16/2016 Town Board meeting minutes were approved as submitted.

REPORTS SUBMITTED:

Advanced Payment of Claims -- March 2016

Building Department Report -- March 2016

Drainage Committee Minutes -- 3/1/2016

Historic Preservation Board Minutes – 3/14/2016
Library Board Minutes – 2/23/2016
Monthly Financial Statement – March 2016
Recreation Revenue Report – March 2016
Town Clerk Report – March 2016
Traffic & Safety Committee Minutes – (No February Mtg.), 3/3/2016

CORRESPONDENCE:

1. Virginia Ignatowski, Town Clerk has received notification that Scott Fisher, Highway Department is retiring; effective April 30, 2016.
2. Virginia Ignatowski, Town Clerk has received notification that Colleen Rogers, Clerk to the Town Justice is resigning; effective April 3, 2016.
3. Virginia Ignatowski, Town Clerk has received notification that Lisa Pavlovych, Clerk to the Town Justice is resigning; effective May 25, 2016.

RESOLUTION #153 RE: Entertainment Chil-E-Fest

OFFERED BY: Councilman Brown

SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with The Flying Sideburns to provide musical entertainment at the 2016 Chil-E Festival for \$400.00, to be paid from A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with Big Mike and the Motivators to provide musical entertainment at the 2016 Chil-E Festival for \$500.00, to be paid from A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with “JaCK” Band to provide musical entertainment at the 2016 Chil-E Festival for \$400.00, to be paid from A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with Third Degree to provide musical entertainment at the 2016 Chil-E Festival for \$300.00, to be paid from A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with Cholly Atkins Total Live Experience to provide musical entertainment at the 2016 Chil-E Festival for \$1000.00, to be paid from A7550.4. (Celebrations); and

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign a contract with Steel Drum Trio Band to provide musical entertainment at the 2016 Chil-E Festival for \$450.00, to be paid from A7550.4. (Celebrations).

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

RESOLUTION #154 RE: Road Closure Pearce Memorial Church

OFFERED BY: Councilman DeCory

SECONDED BY: Councilman Slattery

WHEREAS, Pearce Memorial Church has asked for the Town’s permission to hold the annual Summer Kick-off event on Sunday, June 12, 2016 from 11:00 am – 1:30 pm; and

BE IT RESOLVED that the Town Board hereby authorizes Pearce Memorial Church to hold Their annual summer kick-off event on June 12, 2016, as outlined in their correspondence, provided they notify the residents of Orchard Street & Buffalo Road North to the crosswalk before Pearce Church (properties utilized are 4330 Buffalo Road, 69 & 71 Orchard Street), 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 event; and

BE IT FURTHER RESOLVED that the Town Clerk shall send notification of this resolution to Pearce Memorial Church.

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: The questions on this and the following resolution were the same, so I'm going to kind of answer them both now. As far as the best value resolution, it has absolutely nothing to do with that whatsoever.

The -- you with me? I'm answering your questions.

MR. HULSE: Go ahead.

SUPERVISOR DUNNING: The -- the questions that you had on Resolution 155 and again on 156, I'm answering as we're addressing Resolution 155, because it is the same questions.

It is absolutely not tied in any way, shape or form to the best value law. It has nothing whatsoever to do with it. These are not searching for new services or alternative services to the services we're currently provided.

This company goes back and looks at our agreements and determines whether or not our agreements -- that these agencies have lived up to their part of the agreements, so to speak, and paid us the amount of money in franchise fees that they should be paying us.

So what they do is they go out, they investigate and they recover. If they recover money for us, we get 60 percent of that. They keep 40 percent of that as their fee. If they recover nothing from us, they get nothing for a fee. So we don't pay them anything to do that.

We have done this a couple times I think -- we did it about four or five years ago. We have done this. This is us doing our due diligence to make sure that the franchise fees that we receive from these agencies and the services that we pay for and our taxpayers pay for are appropriate, accurate and that we're getting everything that we're supposed to get.

So that is what these two resolutions are about. They're not about hiring new services, doing anything different, bringing in new cable companies or alternate electric companies or anything. That is all these are.

MR. HULSE: Are we under any kind of contract with anybody now?

SUPERVISOR DUNNING: We can't have a dialogue about this now. I will talk to you after the meeting if you would like. But these -- but these -- these resolutions here would authorize us to go ahead and move forward with the contracts with these particular companies, or this particular company, I should say. But these particular efforts --

COUNCILWOMAN SPERR: One of his questions was can existing Town personnel be used.

SUPERVISOR DUNNING: Oh, yes. Thank you. No, they cannot. This is too in depth of a study. We don't have access to the information they would have access to, and quite frankly, I couldn't tie up any one of our personnel for the amount of time that would be needed to do this type of an investigation. It would -- it is quite lengthy, quite extensive and this is what these people do. We're not out anything for it. It would actually cost us more to have an employee do it, than it does to have someone else do it for us.

COUNCILWOMAN SPERR: We actually -- when they did the audit the last time, they do recoup some funds. I don't recall the amount.

SUPERVISOR DUNNING: Wasn't a lot.

COUNCILWOMAN SPERR: We did recoup some funds.

RICHARD STOWE: The other question was how come Troy & Banks.

SUPERVISOR DUNNING: There is not that many people that do this.

RICHARD STOWE: And we have used them before with success.

SUPERVISOR DUNNING: And -- like -- and again, you know, you don't pay anything if they don't get anything. So it is a no loss -- it's a win/win situation for us. Or a no loss situation, however you want to look at it.

RESOLUTION #155 RE: Franchise Audit Agreement

OFFERED BY: Councilwoman Sperr

SECONDED BY: Councilman DeCory

WHEREAS, the Town Board feels that it is in the best interest of the residents of the Town to audit and review the franchise agreement and franchise fee paid to the Town of Chili by Time Warner; and

WHEREAS, the Town has been contacted by Troy & Banks to provide such specialized and unique services to the Town; and

WHEREAS, the goal of such services is to recover additional fees owed to the Town, and increase future fees collected by the Town; and

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Dunning is hereby authorized to contract with Troy & Banks for professional services as outlined above. Troy & Banks will

receive as its compensation for this service a contingency fee of forty percent (40%) of the underpayments identified and recoverable under its agreement and/or state and federal law; and

BE IT FURTHER RESOLVED, that Troy & Banks is not entitled to payment on future revenues realized by the Town as a result of their review and audit activities.

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

RESOLUTION #156 RE: Utility Audit Agreement

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

WHEREAS, the Town Board feels that it is in the best interest of the residents of the Town to audit and review the utility services rendered by Rochester Gas and Electric Corporation (RG&E) to the Town of Chili; and

WHEREAS, the Town has been contacted by Troy & Banks to provide such specialized and unique services to the Town; and

WHEREAS, the goal of such services is to ensure the Town is being properly charged and to recover any refunds, credits or rebates for prior overcharges, billing errors or costs in excess of those permitted by applicable contracts, tariffs, statutes rules or regulations; and

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Dunning is hereby authorized to contract with Troy & Banks for professional services as outlined above. Troy & Banks will receive as its compensation for this service a contingency fee of forty percent (40%) of the refunds, credits or rebates obtained for prior overcharges, billing errors or costs in excess of those permitted by applicable contracts, tariffs, statutes rules or regulations; and

BE IT FURTHER RESOLVED, that Troy & Banks is not entitled to payment on future revenues realized by the Town as a result of their review and audit activities.

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

RESOLUTION #157 RE: Disposal of Surplus Equipment

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

WHEREAS, the following listed equipment is, in the opinion of the Superintendent of Highways/Commissioner of Public Works, obsolete and of no further use to the Town of Chili; and

WHEREAS, the Town is best served by disposing of these items for their highest value in whatever form attainable; and

NOW, THEREFORE, BE IT RESOLVED, that subject to awarding of bids for new vehicles or the purchase of new equipment, the Town Board authorizes disposition of the following vehicles and equipment and hereby directs the Superintendent of Highways/Commissioner of Public Works to procure the highest reasonable compensation for such items and apply the proceeds there from, if any, in accordance with Section 142(5) of the Highway Law:

- * 2 Parks Weed Trimmers
- * 2 Highway Trash Pumps
- * #168 Parks Mower
- * #268 2008 Ford Pickup
- * #275 Gas Giant Vac Leaf Machine
- * #279 Gas Giant Vac Leaf Machine
- * #88 Sterling 10 Wheel Dump Truck
- * #7 Ford F-250 4x4 Pickup
- * #19 Chevy Service Truck
- * #59 2005 Ford F-350
- * #2 2009 Ford F-250

- * #17 2006 Dodge Dakota
- * #843 2005 Chevy Impala
- * #12 Chevy Malibu
- * #14 Chevy Malibu

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

RESOLUTION #158 RE: Chili Fire Department Remove from Active List

OFFERED BY: Councilman DeCory SECONDED BY: Councilman Slattery

BE IT RESOLVED that the following individual(s) be removed from the Chili Fire Department active list effective April 4, 2016:

Josh Welch

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

RESOLUTION #159 RE: Chili Fire Department Exempt List

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that the following individual(s) be removed from the active list and added to the Chili Fire Department exempt list effective April 4, 2016:

Mike Leiston

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

RESOLUTION #160 RE: Town Court

OFFERED BY: Councilman Slattery SECONDED BY: Councilman DeCory

BE IT RESOLVED that Victoria Campoli shall be Clerk to the Town Justice as appointed by Judge Kraus Town Justice, and shall be paid an annual salary of \$42,500.00 (24 Off-Step) effective TBD, expenses to be paid by voucher as incurred; and

BE IT FURTHER RESOLVED, that Jacqueline Root shall be Clerk to the Town Justice as appointed by Judge Evangelista Town Justice, and shall be paid an annual salary of \$42,500.00 (24 Off-Step) effective TBD, expenses to be paid by voucher as incurred.

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

RESOLUTION #161 RE: April 6, 2016 Abstract

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Brown

WHEREAS, January 4, 2016 Resolution #1 authorized vouchers to be paid April 6, 2016, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 20714-20719, 20737-20739, 20741, 20746-20747, 20750-20756, 20758, 20760-20795, 20801-20811, 20814-20842, 20844

totaling \$226,109.97 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED, to note for the record vouchers 20714-20719, 20737-20739, 20741, 20746-20747, 20750-20756, 20758, 20760-20795, 20801-20811, 20814-20842, 20844 were paid from the following funds:

General Fund	\$	92,171.48
Highway Fund		13,384.68
Library Fund		1,861.74
Drainage District		1,896.49
Fire Protection District		103,936.37
Street Lighting Districts		11,859.21
Private Purpose Trust		<u>1,000.00</u>
	\$	226,109.97

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 apologize. For members of the audience, we have two additional resolutions. We did hold some interviews at our last Town Board meeting and also this evening. We have a couple appointments to our Board and Committees.

I propose Resolution 162, Conservation Board. I will read it in its entirety.

RESOLUTION #162 RE: Conservation Board

OFFERED BY: Councilman DeCory **SECONDED BY: Councilman Slattery**

BE IT RESOLVED that John Smithgall be appointed to the Conservation Board for two (2) year terms to expire December 31, 2017; and shall be paid the sum of \$35.00 per meeting attended for the calendar year 2016.

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

RESOLUTION #163 RE: Traffic & Safety Committee

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

BE IT RESOLVED that Stephen Tarbell be appointed to the Traffic & Safety Committee; to complete the term of Vince Falco term to expire December 31, 2016, and shall be paid the sum of \$35.00 per meeting attended for the calendar year 2016.

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, May 11, 2016 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.

The meeting was adjourned at 7:33 p.m.