

CHILI TOWN BOARD  
May 13, 2015

A meeting of the Chili Town Board was held on May 13, 2015 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, Councilwoman DiFlorio; 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; Ken Kraus, Deputy Town Supervisor; David Lindsay, Commissioner of Public Works/Highway Superintendent and Building Department Representative; 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.

**PRESENTATIONS/ANNOUNCEMENTS:**

SUPERVISOR DUNNING: We do have one presentation this evening, but I do see that the presentee is not here quite yet, so we will hold that off for just a couple of minutes.

In light of -- I will take this a little bit out of order hopefully for the sake of timing so that when our honoree gets here, we can move right to that.

So I'm going to, just for a brief moment, skip over the Public Hearing and move right to the Public Forum. So if there is anyone that would like to speak at the Public Forum. This is not the Public Hearing. This is the Public Forum. Anyone that would like to speak at this time? The Public Hearing is for the Local Law that is being presented. The Public Forum is for general comments about anything you would like to speak to the Town about the agenda or anything else related to Chili in general, but it's not for the Local Law we're hearing this evening.

UNIDENTIFIED SPEAKER: Is this not for the building -- the buildings that are going to be --

SUPERVISOR DUNNING: We'll hold that Public Hearing in just a few minutes. We'll just hold off. I'm taking the agenda a little bit out of order at the moment.

UNIDENTIFIED SPEAKER: Just wanted to make sure we're in the right spot.

SUPERVISOR DUNNING: That will come up shortly. Bear with us for just a couple of minutes.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speakers addressed the Town Board on various subjects: Dorothy Borgus and Robert Bialecki. The Public Forum concluded at 7:10 p.m.

**PRESENTATIONS/ANNOUNCEMENTS (continued):**

1. Presentation to Judge John Pericak.

SUPERVISOR DUNNING: Thank you, thanks for coming in.

JUDGE PERICAK: Appreciate it.

SUPERVISOR DUNNING: I'm -- on behalf of the Town of Chili, Judge Pericak, we just want to thank you, the service that you did for a little over a year and half for us now which was just highly commendable. You have done -- you did an awful lot to clean up some of the -- the backlog in the Court, and for a very, very little compensation. It has been -- on my behalf and our behalf, it's been an actual pleasure in our conversations and working with you over the past year and a half through -- through what was somewhat of a difficult time for us and challenging time, but I just can't say enough about the job and how we appreciate what you have done for us, and it just -- like I said, I just can't say enough. I really do appreciate it. You have been a pleasure to have around and if you ever want to move to Chili, we'll try to work something out. You always have at least a second home in Chili and you always are welcome here at any time.

I also want to thank you for your continued service as you clean up some of the caseload that you had started and your assistance with -- with our new judge, Ken Kraus.

So on behalf of the Town of Chili, we're legally allowed to give you one little thank you card, but we also included a \$75 gift card for Golf Galaxy. I understand you like to golf. We hope you will be able to use that and every time you -- you might be able to buy two or three balls. I don't know what that buys any more.

So on behalf of -- we wish we could do a whole lot more, but again, we greatly, greatly appreciate your service. (Applause.)

I think -- think Mr. -- our Judge Kraus wanted to say a few years.

JUDGE KRAUS: Yes, I would. I have had the pleasure to work alongside Judge Pericak

for the totality of two weeks, I think. But in all seriousness, I have been next to him for a few months learning and training. I think it is well understood by everyone what a fine job he has done on the bench for the Town and in a moment in the Town's need, but what I don't think anybody else might know is how gracious he has been to me and that helps the Town. He has been gracious to me, training me, sitting next to me, guiding me with all his experience that he has and I just want to say you're a real professional.

So thank you. (Applause.)

SUPERVISOR DUNNING: Ever stop in Henrietta and you need to go to the Henrietta Court, this is really the guy you want to be in front of. Thank you very much.

JUDGE PERICAK: I would like to say my experience here in the last year and a half is -- it's been very fulfilling. It -- it was such a pleasure working with the Town of Chili and the Town Board. You guys are a class act. And you -- you appreciate the importance of what your court does for your Town and how important it is to keep it in tip-top shape. And your giving the tools for your people to do the job is very important. You guys see that.

I know Ken (Kraus) is going to enjoy working with you, or for you, whatever, as soon as he gets elected. And he will be there for many years to come. He is a very bright lawyer, and he has caught on things very quickly and Ron is also doing a great job there, too. So I will stop in and see you whenever I can.

SUPERVISOR DUNNING: Door is always open. You're always welcome to stop in for a cup of coffee.

Thank you all for being patient with us while we moved the agenda around a little bit.

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#### PUBLIC HEARING.

A Public Hearing was held by the Chili Town Board on May 13, 2015 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss Local Law of 2015 add and amending "Chapter 205, Buildings & Property Maintenance."

Attendance as previously noted in the 5/13/15 Chili Town Board meeting minutes.

#### COMMENTS OR QUESTIONS FROM THE AUDIENCE:

LENNY TALBOT, 2970 Chili Avenue

MR. TALBOT: My name is Lenny Talbot. I own the house at 2970 Chili Ave. It's right next to the place, Nifty, Incorporated, right now that you're changing into the funeral home. Well, they're asking for a permit to do so. I don't like the fact that they're going to put a funeral home in there, because I think that is going to depreciate the value of my house. Plus the traffic will be horrible. Unless I'm misunderstanding what kind of funeral home that will be put there.

SUPERVISOR DUNNING: Is this in regard to the -- I'm sorry, is this in regards to the Local Law for property maintenance? That's what this Public Hearing is here for this evening. If this is about an application before the Planning Board, this Board has no -- no knowledge of any -- well, we do know there is an application there, but we don't handle that.

MR. TALBOT: I brought this letter sent out to me with everything on it saying there was going to be a hearing here.

SUPERVISOR DUNNING: That will be at the Planning Board meeting.

COUNCILMAN SLATTERY: Can we see that for a minute?

SUPERVISOR DUNNING: What we're looking at here was Chili Planning Board and this was for last night's meeting, so you have the wrong night.

Mr. Lindsay, he was at the meeting. Could you --

DAVID LINDSAY: Sure. They were tabled at the applicant's request. They will be back at the June Planning Board meeting, so the notices that you see posted out there should be adjusted with the new date. I think the Planning Board meeting date for June is the 9th.

SUPERVISOR DUNNING: Second Tuesday.

DAVID LINDSAY: 7 o'clock in this room on June 9th.

MR. TALBOT: My mistake.

COUNCILMAN SLATTERY: No problem. Thank you for coming.

ROBERT BIALECKI

MR. BIALECKI: I made the same mistake. I was here for that, voicing an opinion on it.

SUPERVISOR DUNNING: Again, as Mr. Lindsay has said, if there is anybody here about any Planning Board application, which this Board has nothing to do, this is not our jurisdiction, then that will be at the June 9th Planning Board meeting in this room at 7 p.m.

Not a problem. I just -- thank you for coming in and I'm sorry. Just didn't want you to have go on if it wasn't --

MR. TALBOT: Thank you.

The Public Hearing was closed at 7:17 p.m.

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#### MATTERS OF THE SUPERVISOR:

New Matters:

1. Chili Center Master Plan Open House.

SUPERVISOR DUNNING: Monday night, at 6 o'clock, we'll be hosting a Chili Center Master Plan public meeting. Basically an open house where they'll be showing some of the thoughts that the Steering Committee has come up with so far on the plans and designs for Chili Center. There is a brief survey they will be handing out at that meeting, a very small survey asking a few questions. Anyone interested in knowing what is going on in the Chili Center Master Plan, that would be a good place to be Monday night, 6 o'clock, in this room. I think it is running to 8. 6 to 8. Kind of an open house. You don't have to show up at 6. If you can't get there 'til 7:00, 7:30, quarter to 8:00, that's fine. Just pop in.

Real casual, no presentation, just the -- just some conversation and taking some input and getting some feedback.

2. Town of Chili Open Space Plan.

SUPERVISOR DUNNING: Also, um, the Town has received the Open Space plan. That has been distributed to the Town Board.

3. Final Draft of the Farmland Protection Plan.

SUPERVISOR DUNNING: And I wanted to -- to just talk about this briefly and what we might be looking at here, because we have also received the final draft of the Farmland Protection Plan. That plan has gone on -- gone before the County Farmland Board. They have approved that plan. We will be holding a Public Hearing on that. We're actually going to set that hopefully this evening. But it's my thought that on the -- both of those plans, um, there -- I see there is value in adding those to the Comprehensive Plan, so I would like to hold off on doing any adoption of the open space plan and work that together with the Farmland Protection Plan and perhaps incorporate both of those.

We do have a resolution on tonight to accept the plan. That means we received it and that's about all we have done is received it and have it, but we're not going to adopt it as an official plan at this point in time. So that is kind of what I'm -- the line of thinking is there.

4. Memorial Day Parade.

SUPERVISOR DUNNING: Also, Memorial Day parade, um, Monday the 25th, um, that will be coming up, so we always look forward to that. That is always a well-attended event.

COUNCILWOMAN SPERR: 8 a.m.

SUPERVISOR DUNNING: I believe it is 8 a.m. for the parade.

DAWN FORTE: 8:30.

SUPERVISOR DUNNING: 8:30. Line-up at 8.

COUNCILWOMAN SPERR: That is what I think.

SUPERVISOR DUNNING: If you get there by 9, it will be done.

Pending Matters:

1. Vacancy BAR (Temp Member) Committee, Ethics Committee.

SUPERVISOR DUNNING: Also, we do have some pending matters. We have -- we do have a vacancy on the Board of Assessment Review for a temporary member and also on the Ethics Committee.

COUNCILWOMAN SPERR: Preservation.

SUPERVISOR DUNNING: There is now. Yeah. Because that came in kind of officially afterward. But yeah, there is also going to be a vacancy on the Historic Preservation Board. Anybody that might be interested in that, entertain that.

I just want to point out, too, on the Ethics Committee, someone brought to my attention really, that apparently the Association of Towns -- and I haven't looked any further into this -- is recommending actually a Town Board member is a part of the Ethics Committee, and I don't understand that myself. I want to look into that a little further. We do have two members on there, and if it is lacking -- if it is lacking, I want to understand that. So -- so I would -- I would -- and I think the information is good information. I just want to find out from the Association of Towns what that is.

**MATTERS OF THE TOWN COUNCIL:**

COUNCILWOMAN SPERR: I just wanted to mention that at the last week's Traffic & Safety meeting -- was it last week? Yes. Crazy. Time flies.

We did have a recitation and have received a draft copy of our sidewalk, um, plan that we're working on, our sidewalk pedestrian -- Bicycle and Pedestrian Master Plan. They're in the phase of responses from the Committee, and in a couple weeks' time, I think they will have it

back and ready to go. We hope to have a presentation at the next Town Board meeting in June, to give you their perspective and their ideas and they have done a really great job of putting this together, but I just wanted to mention that that has been going well.

SUPERVISOR DUNNING: I wanted to mention for the Board, that we will get back to Mr. Bialecki about the signs. I know he has already left, but we'll get back to him in some way.

DAVID LINDSAY: I have his phone number.

SUPERVISOR DUNNING: We'll touch base with him on that.

The 4/15/15 Town Board meeting minutes were approved as submitted.

**REPORTS SUBMITTED:**

Advanced Payment of Claims – April 2015  
Architectural Advisory Committee Minutes – 1/28/2015 (No February or March 2015 Mtg.)  
Building Department Report – April 2015  
Chili Parks & Recreation Minutes – 3/17/2015  
Conservation Board Minutes – 4/6/2015 (No February or March 2015 Mtg.)  
Dog Control Report – April 2015  
Drainage Committee Minutes – 4/7/2015 (No March Mtg.)  
Historic Preservation Board Minutes – 4/13/2015  
Library Board Minutes – 3/24/2015  
Planning Board Minutes – 1/13/2015, (No February or March 2015 Mtg.)  
Recreation Center Report – April 2015  
Senior Center Report – April 2015  
Town Clerk Report – April 2015

**CORRESPONDENCE:**

1. Virginia Ignatowski, Town Clerk has received notification that Melissa DeNagel Pernesky, Historic Preservation Board member is resigning effective 5/5/2015.

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**RESOLUTION #163 RE: Historic Preservation Board**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that Phil Supernault be appointed Vice Chairperson to the Historic Preservation Board and shall be paid at the rate of \$55.00 per meeting served as Chairperson for the calendar year 2015; expenses to be submitted by voucher as incurred.

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

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**RESOLUTION #164 RE: NYS Department of Agriculture and Markets Grant**

**OFFERED BY: Councilman Brown**

**SECONDED BY: Councilwoman DiFlorio**

**WHEREAS**, the New York State Department of Agriculture and Markets has funding available for Agricultural Lands, Farm Operations or Farmland Protection; and

**WHEREAS**, the Town of Chili wishes to apply for this grant to assist the Town in paying for expenses related to code updates; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize Supervisor Dunning to prepare and submit a grant application on behalf of the Town of Chili; and

**BE IT FURTHER RESOLVED**, pending the award of said grant to the Town of Chili, to transfer \$5,000 from account A1990.4 (Contingency) to account A1410.4 (Town Clerk – Contractual); to be used for the Town of Chili's matching funds obligation of the grant.

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

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**RESOLUTION #165 RE: Open Space Master Plan**

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

**BE IT RESOLVED** that the Town Board acknowledges receipt of the report dated April 2015, from Bergmann Associates; authorized by resolution #141 adopted on April 17, 2013.

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

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**RESOLUTION #166      RE: Road Closure Pearce Memorial Church**

**OFFERED BY: Councilwoman DiFlorio      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 21, 2015 from 10:30 am – 1:00 pm; and

**BE IT RESOLVED** that the Town Board hereby authorizes Pearce Memorial Church to hold Their annual summer kick-off event on June 21, 2015, as outlined in their correspondence, provided they notify the residents of 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  
Councilwoman DiFlorio - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #167      RE: Use of the Senior Center Trust and Agency**

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

**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 \$3,000.00 donation from Gwen Tappenden in honor of her husband Jim who passed away; to be deposited in the Senior Center Trust and Agency.

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

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**RESOLUTION #168      RE: Use of the Senior Center Trust and Agency**

**OFFERED BY: Councilman Brown      SECONDED BY: Councilwoman DiFlorio**

**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 purchase additional arm chairs for use in the Senior Center; amount not to exceed \$1,000.00.

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



**RESOLUTION #169**

**RE: In Memory of Scott Orto**

**OFFERED BY: Supervisor Dunning**

**SECONDED BY:**

**Councilman Brown  
Councilwoman DiFlorio  
Councilman Slattery  
Councilwoman Sperr**

**WHEREAS**, on April 25, 2015 Scott Orto passed away and we are deeply saddened by his loss; and

**WHEREAS**, Mr. Orto served as an Motor Equipment Operator for the Highway Department from 6/18/1990 – 9/5/2007; and

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

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

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**RESOLUTION #170 RE: Standard Work Day and Reporting Resolution for Elected and Appointed Officials**

**OFFERED BY: Councilwoman DiFlorio      SECONDED BY: Councilman Brown**

**BE IT RESOLVED** that the Town of Chili hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/Day)	Term Begins/Ends	Participates in Employer's Time Keeping System	Days/Month (based on Record of Activities)
<b>ELECTED OFFICIALS</b>					
<b>APPOINTED OFFICIALS</b>					
Court Clerk	Lisa Fuss	7	04/15/2015-12/31/2015	Y	N/A
Court Clerk	Colleen Rogers	7	07/28/2014-12/31/2017	Y	N/A
Assistant Court Clerk	Kristine Sanborn	7	04/15/2015-12/31/2015	Y	N/A
Planning Bd. Member	Matt Emens	6	01/01/2015-12/31/2021	N	0.61

On this 14th day of May, 2015

Date enacted: May 13, 2015

\_\_\_\_\_  
(Signature of Clerk)

I, Virginia L. Ignatowski, clerk of the governing board of the Town of Chili of the State of New York do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 13th day of May, 2015 on file as part of the minutes of such meeting, and that same is a true copy thereof and the whole of such original.

I further certify that the full board, consists of five members, and that \_\_\_ of such members were present at such meeting and that \_\_\_ of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto Set my hand and the seal of the Town of Chili.

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

**RESOLUTION #171 RE: Chili Fire Department LOSAP Investment Policy Statement**

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

**WHEREAS**, on August 6, 2008 Resolution #241, the Town Board adopted the Investment Policy Statement for the Town of Chili Defined Benefit Length of Service Award Program; and

**NOW, THEREFORE, BE IT RESOLVED**, on the recommendation of the Director of Finance to update the Investment Policy Statement for the Town of Chili Defined Benefit Length of Service Award Program per the revisions given by RBC Wealth Management.

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

**RESOLUTION #172 RE: Clifton Fire Department Addition to Active List**

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



**BE IT RESOLVED** that the following individual(s) be added to the Clifton Fire Department active list effective May 4, 2015:

Geoff Breeze

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

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**RESOLUTION #173 RE: Chili Fire Department Addition to Active List**

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

**BE IT RESOLVED** that the following individual(s) be added to the Chili Fire Department active list effective May 4, 2015:

Joshua Arnone & David Foster

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

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**RESOLUTION #174 RE: Chili Fire Department Removal from Active List**

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

**BE IT RESOLVED** that the following individual(s) be removed from the Chili Fire Department active list effective May 4, 2015:

Jessie Letourneau

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

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**RESOLUTION #175 RE: Building Permit Fees**

**OFFERED BY: Councilwoman DiFlorio                      SECONDED BY: Councilman Brown**

**WHEREAS**, the Clifton Fire Department, Inc. Has formally requested that the Town Board waive the fees for Building Permits for the purpose of a sign permit; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board waives the permit fees for the Clifton Fire Department, Inc.

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

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**RESOLUTION #176 RE: Accepting the Final Draft of the Town of Chili Agriculture Farmland Protection Plan, Scheduling a Public Hearing and Accepting the Full Environmental Assessment Form, Parts 1, 2 and 3, from the RLB Planning Group**

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

**WHEREAS**, the Chili Town Board (hereinafter referred to as Town Board), has received from the Town Farmland Protection Plan Committee (hereinafter referred to as Committee), a Final Draft of the Town of Chili Agriculture and Farmland Protection Plan (hereinafter referred to as the Plan); and

**WHEREAS**, the Committee did provide a public review period, did post the Draft of the Plan upon the Town's website, did conduct public meetings upon said Draft of the Plan, did provide a record of said public meetings held by the Committee; and

**WHEREAS**, the Monroe County Agriculture and Farmland Protection Board has concluded its review of the Town of Chili Agricultural and Farmland Protection Plan pursuant to section 324-a of the New York State Agriculture and Markets Law; and

**WHEREAS**, the Committee has taken action to recommend the scheduling of a public hearing and the adoption of said 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 and reviewed Parts 1, 2 and 3 of the Full Environmental Assessment Form, for the Action to adopt the Town of Chili Agriculture and Farmland Protection Plan, from the RLB Planning Group; 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 does hereby designate itself as the Lead Agency for said Action; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby classify the Action as being a comprehensive resource management plan, a Type I Action under the provisions of Article 8 of the New York State Environmental Conservation Law; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby accept the above referenced Parts 1, 2 and 3 of the Full Environmental Assessment Forms, prepared by the RLB Planning Group, upon the proposed Action; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby establish a public hearing is to be held on Wednesday evening, June 10, 2015, upon said Final Draft of the 2015 Edition of the Town of Chili Agriculture and Farmland Protection Plan, commencing at 7:00 p.m., Eastern Daylight Savings Time, in the Meeting Room of the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby direct the posting upon the Town's Official website the Final Draft of the Town of Chili Agriculture and Farmland Protection Plan; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby direct that two (2) copies of said Plan be provided for public review during normal business hours, with one copy being placed in the Town Clerk's Office and one copy being placed in the Town Library; and

**BE IT FURTHER RESOLVED**, that the Town Board does hereby direct the Town Clerk to submit a legal notice of the above referenced public hearing to the Town's Official Newspaper, the Gates Chili Post, for publishing and to post a copy of said legal notice on the Town Hall Bulletin Board; and

**BE IT FINALLY RESOLVED**, that the Town Clerk is to prepare copies of this resolution for filing with the Town Clerk's Office.

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

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**RESOLUTION #177**

**RE: C.H.I.P.S. Budget Amendment**

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

**WHEREAS**, the year 2015 budget for the C.H.I.P.S. account included \$140,000.00; and

**WHEREAS**, the Town of Chili was informed by the State of New York that the 2015 C.H.I.P.S. apportionment for Chili will be \$196,382.28; which includes \$23,778.15 in Winter Recovery Funding; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend accounts DA3501 (State Aid/CHIPS) and DA 5112.4 (CHIPS-contractual) to \$196,382.28.

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

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**RESOLUTION #178 RE: Extension of New York State Snow and Ice Contract**

**OFFERED BY: Councilman Brown**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the Town Board of the Town of Chili on May 13, 2015 makes a resolution to approve the Snow & Ice Contract No. D009808 between the State of New York and the Town of Chili for snow and ice control which will expire on June 30, 2016 unless further extended. The contract will be for \$265,541.85.

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

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**RESOLUTION #179 RE: Set Public Hearing for June 10, 2015 at 7:00 p.m. to Consider Rezoning of 1064 Scottsville Road from G.I. (General Industrial) to G.B. (General Business)**

**OFFERED BY: Councilman Brown**

**SECONDED BY: Councilman Slattery**

**WHEREAS**, the Planning Board at their May 12, 2015 meeting recommended that the applicant petition the Town Board to rezone the property located at 1064 Scottsville Road from G.I. (General Industrial) to G.B. (General Business); and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby declares its intent to be lead agency for SEQRA review purposes and directs the Town Clerk to send notification of such designation to all affected agencies; and

**BE IT FURTHER RESOLVED**, that a Public Hearing be set for June 10, 2015 at 7:00 p. M. At the Town Hall Main Meeting Room, 3333 Chili Avenue to consider the rezoning application for the parcel located at 1064 Scottsville Road, Tax, ID# 135.03-1-3 from G.I. (General Industrial) to G.B. (General Business).

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

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**RESOLUTION #180 RE: Award of Bid for New Brush Chipper**

**OFFERED BY: Councilwoman DiFlorio SECONDED BY: Councilman Brown**

**WHEREAS**, bids for a trailer mounted brush chipper were received by the Town Clerk on April 27, 2015 as follows:

	<u>Bid</u>
Vermeer	\$50,885
Niagara Frontier	\$36,300

**WHEREAS**, the Commissioner of Public Works/Superintendent of Highways has reviewed the submitted bids and trade-in value proposal and has made a determination that the bid and proposal from Niagara Frontier meets the intent of the written specification and requirements of the Town and is acceptable for the intended use; and

**NOW, THEREFORE, BE IT RESOLVED**, to award the bid for Bandit 1590 XP chipper at a cost of \$36,300 to Niagara Frontier to be paid from Account #A 8160.2000 (Refuse/Garbage - Equipment).

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

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**RESOLUTION #181 RE: 2015 Part Time Recreation Staff**

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

**BE IT RESOLVED** that per the recommendation of Michael Curley, Parks and Recreation Director, the following people be appointed Part-Time Recreation Program Staff, as needed, and shall be paid at the rate of \$8.75 per hour, or \$9.50 per hour if working the Before School Care SAFE program, effective 5/14/2015; expenses to be paid by voucher as incurred:

Tyler Randall  
Ryan Campoli  
Daniel Phan  
Sarah Miller  
Sara Virso  
Brendan Ringer  
Taylor Russell  
Jason Hyde  
Kendall Skuse  
Abigail Eschen

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

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**TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:**

**SUPERVISOR DUNNING:** There was a question on this. This is a replacement, a position that was vacated several months ago, many months ago, but this is to replace that person. This is not a new position.

**RESOLUTION #182 RE: Recreation Department**

**OFFERED BY: Councilwoman DiFlorio      SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that Eric Janovsky is appointed Recreation Assistant and shall be paid an annual salary of \$24,589.00 (23 Entry) effective June 1, 2015, pending background check; expenses to be paid by voucher as incurred.

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

**SUPERVISOR DUNNING:** Eric (Janovsky), would you like to stand up and say "hello" to the folks here? And welcome aboard.

**MR. JANOVSKY:** Hello.

**COUNCILWOMAN SPERR:** Congratulations. Welcome to Chili.

**SUPERVISOR DUNNING:** Keep them in good shape for us over there, will you?

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**RESOLUTION #183 RE: Drainage Committee**

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

**BE IT RESOLVED** that Nick Sanguedolce be appointed to the Drainage Committee to complete the term of Jared Hirt; term to expire 12/31/2015 and shall be paid \$30.00 per meeting

attended for the calendar year 2015, expenses to be paid by voucher as incurred.

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

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**RESOLUTION #184 RE: Use of Parks and Recreation Reserve for Construction of Spray Park at Union Station Park**

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

**WHEREAS**, August 13, 2014 Resolution 207 authorized the construction of a Spray Park at Union Station Park to be funded in part by a State and Municipal Facilities Program (SAM) grant as well as funds from the Town's Parks and Recreation Reserve; and

**WHEREAS**, on February 11, 2015 Resolution 118 authorized additional funds to be appropriated; and

**WHEREAS**, total estimated costs of the total project, following the new receipt of construction estimates, are expected to be \$505,000, including contingencies; and

**WHEREAS**, the Parks and Recreation Reserve Fund has been established by the Town Board of the Town of Chili pursuant to 277 of Town Law of the State of New York to be held in trust and utilized for the acquisition, development and improvement of Town parks and delivery of recreational services in the Town; and

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the best interests of all the citizens of the Town of Chili are served by the development and improvements of recreational facilities in existing parks located in different geographical areas of the town, rather than by acquiring smaller decentralized parks; and
2. That the economics of delivering multiple recreational services at existing park locations are greater than attempting to deliver such services at numerous decentralized locations; and
3. That the construction of a spray park at Union Station Park is an appropriate expenditure from the Parks and Recreation Reserve Fund; and
4. That any approval of funds from said Reserve Fund held in trust is subject to a permissive referendum; and
5. That the sum of One Hundred Fifty Five Thousand Dollars (\$155,000) is hereby appropriated from account TE9901.9000.0037 (Interfund Transfer) from the Parks and Recreation Reserve Fund, held in trust, to the Union Station Spray Park Capital Project Fund for the purposes set forth; and

**BE IT FURTHER RESOLVED**, that pursuant to 82 and 90 of the Town Law, within ten (10) days of the date of this resolution, the Town Clerk shall post and publish Notice which shall set forth the date of the adoption of the resolution, shall contain an abstract of such resolution, shall specify that this resolution was adopted subject to a permissive referendum; and shall publish such notice in the official newspapers of the Town of Chili, and in addition thereto, that the Town Clerk shall post or cause to be posted on the signboard of the town a copy of said Notice within ten (10) days of the adoption of this resolution.

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

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**TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:**

**SUPERVISOR DUNNING:** There was a question about the Private Purpose Trust. Mr. Knapp? What was that exactly again?  
**DANIEL KNAPP:** I could not say off the top of my head what this was exactly for. What I can say, though, is I'm quite certain it is probably for the Senior Center trust, coming out of the

Private Purpose Trust. And it's something that would have been approved previous -- in a previous meeting for spending on a resolution much like on Resolution 168 of tonight's agenda, would have been passed earlier. As far as what exactly it is right now, I could not say. I would have to look it up.

SUPERVISOR DUNNING: We can look up the specifics, Dorothy (Borgus), and get back to you specifically what that was for. I don't know off the top of my head. We'll look it up and get back to you on that one.

**RESOLUTION #185 RE: May 6, 2015 Abstract**

**OFFERED BY: Councilwoman DiFlorio**

**SECONDED BY: Councilman Brown**

**WHEREAS**, January 2, 2015 Resolution #1 authorized vouchers to be paid May 6, 2015 by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 17404, 17408-17411, 17418-17426, 17430-17432, 17436-17440, 17444-17451, 17453-17454, 17461, 17464-17472, 17488, 17492, 17496-17497, 17499-17505, 17511-17513, 17515, 17519-17553, 17555-17577 totaling \$123,618.26 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 17404, 17408-17411, 17418-17426, 17430-17432, 17436-17440, 17444-17451, 17453-17454, 17461, 17464-17472, 17488, 17492, 17496-17497, 17499-17505, 17511-17513, 17515, 17519-17553, 17555-17577 were paid from the following funds:

General Fund	\$	83,797.81
Highway Fund	\$	22,235.20
Library Fund	\$	2,967.38
H56 Annual Assessment Project	\$	1,437.50
Consolidated Drainage Fund	\$	521.36
Street Lighting Districts	\$	12,159.01
Private Purpose Trust	\$	500.00
	\$	<u>123,618.26</u>

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

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The next meeting of the Chili Town Board will Wednesday, June 10, 2015 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.

The meeting was adjourned at 7:32 p.m.