

## CHILI TOWN BOARD

July 13, 2016

A meeting of the Chili Town Board was held on July 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; Daniel Knapp, Director of Finance; David Lindsay, Commissioner of Public Works/Highway Superintendent; Rose Mary Rozzo, Deputy Town Clerk; Councilman Slattery, Deputy Town Supervisor; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Rose Mary Rozzo.

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

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### PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on July 13, 2016 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss rezoning of 4330, 4332, 4334 & 4336 Buffalo Road from R-1-15 (Residential) to G.B. (General Business).

Attendance as previously noted in the 7/13/16 Chili Town Board meeting minutes.

#### COMMENTS OR QUESTIONS FROM THE AUDIENCE:

LINDA GREENFIELD MUNGER, 292 Chestnut Ridge Road

MS. MUNGER: Good evening, Supervisor and Council members. I had not intended to speak tonight, but ---

SUPERVISOR DUNNING: Name for the record.

MS. MUNGER: Linda Munger. Linda Greenfield Munger. I currently live at 292 Chestnut Ridge Road, Rochester, New York. I was the former owner for over 45 years of the Chili Doll Hospital and Victorian Doll Museum located at the property of 4332 Buffalo Road. Although I do currently own the property, it served me very well for many years. It was a privilege to run my business in this Town of Chili. Had many wonderful experiences. Met many people far and wide.

It is my hope that the building will hopefully be deemed -- change the zoning so that it will continue to be a -- be a viable business and contribute to the Town. Every area around -- in and around that area seems to be commercial. The barber, Frontier Telephone, Ogden Telephone, Jitters, Walgreens, et cetera. So it -- to me it would seem very appropriate to -- to make this change in zoning.

So I thank you very much.

SUPERVISOR DUNNING: Thank you.

The Public Hearing was closed at 7:04 p.m.

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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: Jeff Vieira and Dorothy Borgus. The Public Forum concluded at 7:14 p.m.

#### MATTERS OF THE SUPERVISOR:

New Matters:

SUPERVISOR DUNNING: I will address some of the comments. The items that deal with the resolutions, we'll deal with the resolution.

First, the comment before the field maintenance fees. Certainly the reason it was pulled from tonight's agenda, we felt there was further review, and so -- for that particular resolution and that particular thought process that we have had.

I don't think it's any news to the sports groups that we have been thinking about something around field maintenance fees for several years. It has been tossed around for quite a while.

We do understand the concerns and have heard the concerns of not only Chili Soccer, but Chili Lyons Football as well as Chili Baseball in these, which is, again, why that was pulled. We

thought we had thoroughly vetted this, the process, and after further discussion, consideration, thought better of it, and want to make sure that what, if anything, is done in the future is fair and equitable across the board.

You know, I will say I -- as far as use of the parks, you know, if -- there was a good point made about the disk golf, but I -- but I don't know that that is typically an -- and I don't know, so I can't answer this. I'm saying I don't know how much -- if there are leagues that play in there, or if there is an organization that has -- is regularly scheduled.

One, I think, misrepresentation that was made, though, was that we're opening this up for competition for other groups from outside of Chili. That is completely inaccurate. If that was -- if that had been conveyed in any way, shape or form, that is not true.

We're not going to have a dialogue right now, Jeff (Vieira). I would be glad to talk to you at some other point.

But that is completely not true, that -- we're not looking to open this up to competitive -- competition for our fields.

I can say at this point we will -- the groups -- the groups that this would affect will be notified and we will meet with them again before any other decisions are made. We will talk about this further, have further dialogue with the sports groups. The one thing that we did want to be very careful of is to make sure if, in fact, there are any type of fees initiated for the use -- or for the maintenance to compensate us for the maintenance of the fields, um, you know, if -- if that is to happen, we want to make sure that it -- that you're involved in that process and we want to give Chili Soccer, Chili Football, Chili Baseball, who are those primary users, the opportunity to know what those are far enough in advance so you can do the appropriate planning for your business, your organizations and make sure that you -- but right now, um, we still have further dialogue and rest assured that you will be a part of that conversation. The groups, the organizations, the leadership, whomever the groups choose to be there. So we will notify you when those will happen and hope for your participation so we can get that taken care of.

And if you do -- anybody in the organization wants to talk to me at any point in time, they know where my office is. I'm easy to get a hold of. You know where my home is. Stop at my home. I have no problem doing that either. I have done that in the past and more than happy to discuss it.

We want to make sure we thoroughly vet this and we have further discussion so we're fair and equitable. We recognize there are maybe things we didn't see quite right, so please, if you would pass that along. This is not a done deal at this point in time, and we do want to talk further.

COUNCILMAN BROWN: Just -- we're taking the issue very seriously. You made some interesting points and we look at it very closely and we'll want to hear both sides. So thank you for all of the volunteering you have done in the past and, you know, for coming here tonight and sharing some of those thoughts. Because it will all be incorporated into our analysis.

SUPERVISOR DUNNING: Best point you still have a job tomorrow.

COUNCILWOMAN SPERR: That's what I wanted to add. I don't want you to have to fear that you can't have a dialogue with us about this and share your concerns with this. You made some valid points tonight. You were afraid to talk because of your job. I don't want you to have that fear. I appreciate you coming in, Jeff (Vieira).

COUNCILMAN SLATTERY: If I could -- wait for the train.

There was a pause in the meeting for a passing train whistle.

COUNCILMAN SLATTERY: As a former Board member with Chili Soccer, former Director of Fields, former Director of Equipment, former Coordinator for the 5v5 Program, former coach and group organizer, um, knowing the volunteers that participate, the volunteer hours that go into the organization, I understand what takes place, what needs to be done. I would also suggest that you -- if you have comments, get them to us. We all have Town emails. Send them to us. We've -- I have actually been in meetings with other organizations that are -- other people with the other organizations. I have had dialogue with them.

It's -- there is rumor mills out there. We have to stop that. People have misinformation. We need to squash it. They -- some people that are saying some things have met with us or the Supervisor and we -- we need to clear the air. So -- and it's not you. Um, I thought you did a very good job tonight. And I have actually had conversations with a couple people that are affiliated with soccer. And they had some misinformation. So I think somebody says something, gets to somebody else and it just snowballs. We have to control that. I know it can be difficult.

I met with a woman from Chili Baseball, and I went to watch a friend of mine's son play and the first four innings I had to sit there and just clear the air, explain to her how Chili works -- the Town of Chili works, how our Parks Department works, how Chili Baseball works. And she was just so misinformed and it was just -- it was unpleasant and I didn't even get the chance to really watch because by the time I got done talking with her, I had enough. So it is just the misinformation that is out there.

And knowing the job that you folks do, with Chili Baseball -- or Chili Soccer, excuse me, I went up to the one tournament, the -- the travel tournament. The number of volunteers from the minute you came down on Paul Road or Chestnut Ridge Road and came onto the property, um, they were doing a fabulous job. And the volunteers telling people where to park, helping people on telling them where the fields were, the teams were. They did a fabulous job. They should be commended for that. That is a reflection to the organization and the organization that you have

within that. And I -- and that is to be recognized.

So I feel that you should be able to -- you're a citizen. You should be able to speak, but I would say -- approach us, be more than happy to talk with you, as David (Dunning) said. You know, email us. Call us. You know, if you're going to show up at David (Dunning)'s house, that's fine, but just try to keep mine between certain hours. But I just want to say thank you.

MR. VIEIRA: Thank you.

COUNCILMAN SLATTERY: And actually, Supervisor, the one comment that I heard from a friend of mine from outside the Town about our fields were that they were fabulous for the tournament. They said they were in great shape and just the amount of work that went into them.

So -- so you should be recognized with your other hat on the job that you guys did in regards to that and Mr. Lindsay, as well. So.

SUPERVISOR DUNNING: Thank you.

The other comment I will just -- there was a question -- or concern raised about the mosque over on Beahan Road. And, you know, we're certainly well aware of it. Paul (Wanzenried) is well aware of it. There is some issues with materials and other things, things that we can't get through. No question it's a mess. I don't know what -- what our ability is at this point to do anything about that.

It is very much partially built, just a cinderblock shell right now. There are materials around the building and I will talk to Paul (Wanzenried) tomorrow and see what he has to say about anything there, but there really -- as far as I understand, there is -- there is little we can do about it at this point. Um, they may have to come back in for some renewals or permits because it has been so long since they have done anything at all. I don't know that, but I will discuss it with Paul (Wanzenried). But the comments are accurate, and it is kind of ugly and hideous. And I will get to the other comments when we get to the resolution.

Just like to say, we had a great Chil-E Fest. Great turnout. Beautiful day, night warm weather, good bands, good activities and good entertainment. It really was a lot of fun. And, of course, capped off by a great fireworks show.

COUNCILWOMAN SPERR: My husband thought they were some of the best he seen in a long time. Great family event. We enjoyed it. Hats off to everyone who worked on that one. Fantastic.

SUPERVISOR DUNNING: Well done and hopefully a good time for all, except one.

COUNCILMAN SLATTERY: Yeah. I think he is okay.

SUPERVISOR DUNNING: Yes.

Pending Matters:

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

SUPERVISOR DUNNING: We do have a vacancy on the Board of Assessment Review for a permanent and temporary member and also on our Ethics Committee.

#### **MATTERS OF THE TOWN COUNCIL:**

COUNCILMAN BROWN: The Conservation Board was commending and complimenting Dick Schickler's grandson, R.J. Schickler, for installing plantings under the "Welcome to Chili" signs on 490 East and 490 West. They were really impressed with how great it looks and they do it on a volunteer basis, so we're recognizing them.

SUPERVISOR DUNNING: Who is watering those? Are we?

DAVID LINDSAY: We'll get out there and water them as necessary, but usually they stay pretty moist, especially the one heading westbound stays pretty moist.

SUPERVISOR DUNNING: Okay.

COUNCILMAN SLATTERY: Actually if I could, I would just like to recognize Bob (Munger) in the audience. Somebody who volunteered with the Town for a number of years and say it's good to see you and thanks again for your service all those years.

MR. MUNGER: Just thinking about the Chil-E Fest, from Chestnut Ridge, we could view the fireworks right across the cemetery. They looked great.

COUNCILMAN SLATTERY: Good to see you.

The 6/15/2016 and 6/24/2016 Town Board meeting minutes were approved as submitted.

#### **REPORTS SUBMITTED:**

Architectural Advisory Committee Minutes – 5/10/2016, 6/14/2016  
Building Department Report – June 2016  
Drainage Committee Minutes – 5/3/2016  
Historic Preservation Board Minutes – 6/13/2016  
Library Board Minutes – 5/24/2016  
Planning Board Minutes – 5/10/2016, 6/14/2016  
Town Clerk Report – June 2016  
Zoning Board Minutes – 5/17/2016

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**RESOLUTION #205 RE: Donation to the Senior Center Trust and 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 \$193.00 donation from Patti Gendreau Pickering, in honor of Dorothy Tillack, 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

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**RESOLUTION #206 RE: Chili Fire Department Addition to Active List**

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

**BE IT RESOLVED** that the following individual(s) be added to the Chili Fire Department active list effective June 6, 2016:

Bart Boyce, Lindsey Davis, Brandon Ferris, Joe Wainwright, Michael Wainwright

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

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**RESOLUTION #207 RE: Chili Fire Department Remove from Active List**

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

**BE IT RESOLVED** that the following individual(s) be removed from the Chili Fire Department active list effective July 6, 2016:

Tim Ekstrom & Simeone Petrarca

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

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**RESOLUTION #208 RE: Chili Fire Department Exempt List**

**OFFERED BY: Councilman DeCory      SECONDED BY: Councilman Brown**

**BE IT RESOLVED** that the following individual(s) be removed from the CFD active list and be added to the Chili Fire Department exempt list effective July 6, 2016:

Derek Tesch & Joe LoTurco

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

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**RESOLUTION #209 RE: Chili Fire Department Exempt List**

**OFFERED BY: Councilman DeCory      SECONDED BY: Councilman Brown**

**BE IT RESOLVED** that the following individual(s) be removed from the CFD inactive list and be added to the Chili Fire Department exempt list effective July 6, 2016:

Matt Morley

Councilman Brown - Aye  
Councilman DeCory - 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 particular resolution. How many courts is this, David (Lindsay)?

DAVID LINDSAY: There are two striped tennis courts there. They're all in the same area.

COUNCILMAN BROWN: Existing?

DAVID LINDSAY: Yes.

SUPERVISOR DUNNING: To the best of my knowledge, yes, we do still have tennis programs with the recreation, but I can confirm that with Mr. Curley and get back to you if you would like.

COUNCILMAN SLATTERY: We do.

SUPERVISOR DUNNING: Pretty sure we do.

COUNCILMAN SLATTERY: Yep. Actually that was also in the program that was mailed out in the community newsletter, so we were advertising for that, as well. You didn't sign up?

SUPERVISOR DUNNING: No. It's like exercise. Exercise is evil. (Laughter)

**RESOLUTION #210 RE: Acceptance of Quote for Davis Park Tennis Court Resurfacing**

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

**WHEREAS**, three (3) quotes were received for the resurfacing of the tennis courts at Davis Park; and

**WHEREAS**, the quotes were tabulated as follows:

<b><u>Bidder</u></b>	<b><u>Total Bid</u></b>
Super Seal Sealcoating LLC	\$21,720.00
Rochester Jet Black Sealers, Inc.	\$23,120.00
Nagle Athletic Surfaces	\$25,632.00

**WHEREAS**, the Commissioner of Public Works/Superintendent of Highways and Recreation Director have reviewed the submitted quotes and have made the determination that the proposal from Super Seal Sealcoating, LLC best meets the intent of the specification and requirements of the town and is acceptable for the intended use and recommends that it be accepted; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the Commissioner of Public Works, to accept the quote for the Davis Park tennis court resurfacing from Super Seal Sealcoating for a cost to not exceed \$21,720.00 to be paid from Acct: 01.7110.4330 (Parks, Lot and Roadway Repairs).

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

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Councilman DeCory asked to be recused from this resolution.

**RESOLUTION #211 RE: Set a Public Hearing to consider adoption of Incentive Zoning Proposal 75 & 89 Beaver Road**

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

**WHEREAS**, Forest Creek Equity Corp. Has requested an incentive zoning approval for property located at 75 & 89 Beaver Road in the Town of Chili: and

**WHEREAS**, the Planning Board of the Town of Chili has, at its April 12, 2016 meeting

considered said proposal and found that said incentive proposal and its amenities is adequate as it relates to all aspects of the Project; and

**BE IT RESOLVED**, that the Town Board conduct a Public Hearing on said incentive zoning Proposal on August 17, 2016 at 7 p.m. and that the Town Clerk is hereby directed to publish notice of same.

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

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**RESOLUTION #212 RE: July 6, 2016 Abstract**

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

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

**WHEREAS**, Council did authorize by a majority vote vouchers 21198-21203, 21205, 21541-21583, 21589, 21592, 21596-21626, 21629, 21632-21633, 21636, 21638, 21640-21652, 21654-21656, 21660, 21663, 21666, 21677-21696, 21698-21699, 21704-21737, 21740-21753, 21755-21786 totaling \$397,746.22 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 21198-21203, 21205, 21541-21583, 21589, 21592, 21596-21626, 21629, 21632-21633, 21636, 21638, 21640-21652, 21654-21656, 21660, 21663, 21666, 21677-21696, 21698-21699, 21704-21737, 21740-21753, 21755-21786 were paid from the following funds:

General Fund	\$ 120,875.02
Highway Fund	253,070.22
Library Fund	1,606.98
H56 Annual Assessment Project	2,212.50
H57 Spray Park at Union Station Park	1,667.00
Drainage District	6,685.74
Street Lighting Districts	11,628.76
Total Abstract	<u>\$ 397,746.22</u>

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

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The next meeting of the Chili Town Board will be Wednesday, August 17, 2016 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.

The meeting was adjourned at 7:30 p.m.