

T O W N B O A R D  
January 16, 1980

A Meeting of the Town Board, Town of Chili, was held on January 16, 1980, at 8:00 P.m. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Nowicki, Councilman Criddle, Supervisor Powers

ALSO PRESENT: Carol O'Connor, Town Clerk; Mr. Kelly, Town Atty.; Mr. Bergmann, Town Eng.; Mr. Chudyk, Supt. of Hwys.; Mr. Vail, Jr., Ins. Counselor.

The Minutes of the Town Board Meeting held December 5, 1979, and December 19, 1979, were approved as amended.

STEVE PAIKO, 69 v ORGAN ROAD: Is our section of Morgan Road zoned any particular way?  
SUPERVISOR POWERS: Probably R-10 or 20. It is rural agricultural. MR. PAIKO: I am here to see why the fellow down below me has so much junk. He sells one piece. He has two trucks, two tractors, a truck that doesn't run, a truck body. He is on the corner of Stottle and Morgan Roads. SUPERVISOR POWERS: Have you called Mr. Connolly (Bldg. Inspector)? MR. PAIKO: We wrote a letter. He was over to see me. He wrote a letter. He just pushed his junk over next to the garage, and it has piled there. He hasn't moved a thing out. I can't get an estimate on my property with that stuff there. SUPERVISOR POWERS: I will talk to Mr. Connolly and both of us can follow through and get that cleaned up.

CHILI FIRE DEPT #1 - addition

PAUL JESSEN OF THE CHILI FIRE DEPT: We have got, unfortunately, a little bit of publicity about certain aspects of this addition. The addition is not solely for recreation, but also for increased business records; increased number of training requirements placed upon the fire Dept. since the original building was constructed; and increased storage of equipment and space needed to train our men and town people during the two or three times a year we have first aid sessions and CPR. During review of our budget, we showed improvement for Company 1. We did not talk about this in detail because we had no idea of the construction costs. We still do not. No bids have been released. We only have a picture. SUPERVISOR POWERS: Where do the Explorers meet? R. JESSEN: The Lounge or Meeting Hall. If the weather is not too cold, auxilliary uses the facilities. Also, there are three other people working out of my office now. The chief's office is to the rear with three people working in it. In Company 1's office, there are 4 people for 1 or 2 desks at the present time. SUPERVISOR POWERS: You did appear before the Planning Board? MR. JESSEN: On a voluntary basis. COUNCILMAN CRIDDLE: Where did the figure of \$175,000 come from? MR. JESSEN: To the best of my knowledge, the architect said that at a meeting once. That is his estimate. We are hopeful it will be quite a bit less than that. The membership can take action to approve or disapprove this when we get correct figures. COUNCILMAN CRIDDLE: That is by no means an accomplished fact? MR. JESSEN: No sir. We have only contracted with the architect. COUNCILMAN CRIDDLE: You do have some funds laid aside for this? MR. JESSEN: A very modest amount. COUNCILMAN CRIDDLE: How do you finance the balance? MR. JESSEN: It would be a mortgage arrangement. The actual details I can't answer. COUNCILMAN CRIDDLE: Would you give us a breakdown on the proposed usage of the addition? MR. JESSEN: Three rooms. The largest would be the storage room on the first floor. In addition, there will be a lounge area. Because of the Fire Code, we are limited to the amount of area on the second floor. We hope to have a recreation room. This recreation room and lounge will be utilized as training facilities. The storeroom would not be heated. SUPERVISOR POWERS: Do you have a rendering on what this will look like? MR. JESSEN: Yes. I am sure it was at the Planning Board. COUNCILMAN CRIDDLE: The architect mentioned 2,600 square feet. The bulk being for storage and the balance for the lounge. SUPERVISOR POWERS: A lot of time is required of volunteer firemen. There are also paramedics. MR. JESSEN: We have advanced emergency training as well as the regular EMT's. We have between two and three classes of Advanced First Aid each year. Most of the instructors are firemen themselves.

Corres. #1 Annual report for year 1979 submitted by Town Justices Palkey and Cramer.

Corres. #2 Annual report for year 1970 submitted by Receiver of Taxes, Jean Phillips.

Corres. #3 Annual report for year 1979 submitted by Town Clerk, Carol A. O'Connor.

#1 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the following have accounted with the Town Board for all monies received and disbursed for the fiscal year January 1979 through December 1979 and shall become a part of the minutes of this meeting per Town Law, Sec. 105:  
Town Clerk  
Receiver of Taxes.

AND BE IT FURTHER RESOLVED that Town Justice Cramer and Town Justice Pelkey have presented their criminal traffic and civil docketts to the Town Board for their examination. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #4 Letter dated January 9, 1980, to Chili Town Board from Bernice F. Wilcox, Town Historian, attaching Historians Annual Report for 1979.

Corres. #5 Memo from Clifton Fire Department, Inc., advising of officers elected by the department for year 1980.

Corres. #6 Letter dated December 21, 1979, to Town of Chili from Monroe Co. Water Authority, re: Springbrook Sub., Sec. D, DME #77018, advising that they are accepting the water main and appurtenances in said subdivision as part of their system.

Corres. #7 Letter dated December 27, 1980, to Town of Chili from Monroe Co. Water Authority, re: Walnut Hill Sub., DME #78016, advising they are now accepting the water main and appurtenances in said subdivision as part of their system.

Corres. #8 Letter dated January 4, 1980, to Supervisor Powers, from the Rev. William P. Showalter, Parkminster Presbyterian Church, enclosing a check for \$1,000 as a contribution to the Town of Chili.

Corres. #9 Letter dated January 14, 1980, to Town of Chili, from Clifton Fire Dept., re: Disability Insurance, Volunteer Fire Fighters, enclosing the 1980 Roster of Active Members of the Department.

Corres. #10 Minutes of the Regular Meeting, Chili Library Board of Trustees, held December 5, 1979, submitted; to be on file in Town Clerk's Office.

Corres. #11 Minutes of the Chili Recreation & Youth Comm Meeting held December 12, 1979, submitted; to be on file in Town Clerk's Office.

Corres. #13 Chili Dog Warden's report submitted for month of December, 1979.

Corres. #14 Chili Dog Warden's report submitted for the year 1979.

Corres. #15 Letter dated December 27, 1979, to Supervisor James J. Powers, and Town Councilmen, from J. Norman Vail, Insurance Counselor, advising that the skating rinks in Ranchmar and Hubbard Parks are presently not supervised and he feels that they should be to protect the Town.

Corres. #16 Letter dated December 27, 1979, to Supervisor James J. Powers, from Erdman Anthony, Assoc., re: Final payment, Hillary Heights Detention Pond, advising that the contractor has submitted his maintenance bond which was approved by the Insurance Counselor and recommending that final payment of \$2,429.00 be made at this time.

#2 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that upon the recommendation of the Town Engineer, final payment be made, to Sanmar Landscaping & Paving, Inc., in the amount of \$2,429.00, for work completed on the Hillary Heights Detention Pond project AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to issue a check in that amount. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #17 Letter dated January 1, 1980, to Supervisor Powers and Chili Town Board Members from Daniel F. Rose, Chili Dog Control Officer, thanking the Board for his reappointment.

Corres. #18 Letter dated January 7, 1980, to Chili Town Board from Scott E. Carpenter, Assessor, re: Assembly Bill #A-7153, attaching a copy of the bill and a cover letter asking Town Boards to adopt a resolution supporting this legislation; further stating that he feels that is a worthy piece of legislation and a copy has been submitted to Mr. Kelly for his analysis and recommendation.

Corres. #19 Letter dated January 7, 1980, to Supervisor James J. Powers from Erdman Anthony, Assoc., re: Final release of funds, Chestnut Ridge Sub., Sec. 2, advising that 3 items remain to be done and recommending that this situation has existed for several years, the developer be contacted and asked to complete these items or the funds be made available to the Town to complete this work.

Corres. #20 Letter dated January 7, 1980, to Supervisor James J. Powers from Erdman Anthony, Assoc., re: Request for payment - Davis Park Phase 1A and recommending payment in the amount of \$34,110.00.

#3 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that upon the recommendation of the Town Engineer, payment be made to T-5 Enterprises in the amount of \$34,110.00 for work which has been completed in Davis Park, AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to issue a check in said amount from the Parks & Recreation Reserve Fund. Seconded by Councilman Pikueta. Carried Unanimously.

Corres. #21 Letter dated January 10, 1980, to James J. Powers, Chili Town Board, from Jerome F. Brixner, Chairman, Chili Recreation & Youth Comm., requesting the Town Board authorize preparation of the final specifications for bidding of Davis Park Improvements Phase 1B1 and 1B2 with the exception that construction on fields 9, 10, and 11 be each separate options.

#4 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that authorization be given for preparation of final specifications for bids on Davis Park - phase 1B1 and 1B2, including fields 5, 6, 7, & 8; drainage work, access road, grading of the parking area and construction of fields 9 and 10 as separate options and payment to come from the Revenue Sharing and if necessary, the Park & Recreation Fund. Seconded by Councilman Pikueta. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikueta, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, no.

Corres. #22 Letter dated January 15, 1980, to Chili Town Board from Deborah S. Voorheis, indicating that she would be interested in the job of part-time Zoning Enforcement Officer.

Corres. #23 Application for employment submitted by Lynette Arnold.

#5 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Lynette Arnold, 3940 Buffalo Road, Rochester, New York, 14624, be appointed part-time clerk/typist for the Town of Chili, to serve at the pleasure of the Town Board, to be paid at the rate of \$4.10 per hour. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #24 Memo dated January 15, 1980, to Chili Town Board from Supervisor Powers re: salary change for hourly clerical employees.

#6 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the hourly rate for part-time clerks and part-time clerk/typists be set at \$4.10 per hour, effective with PR#4. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #25 Letter to Carol A. O'Connor, Town Clerk, from James Perna, Corres. Secy., Chili Fire Dept., Inc., re: change in active list.

#7 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Chili Fire Dept., Inc., the following names be added to the list of active volunteers:

Alan Friday, 978 Coldwater Road, Rochester 14624  
John D. Caulfield, 14 Wills Road, Rochester 14624

Harry P. New, 3 Reddick Lane, Rochester 14624  
 Paul C. Monroe, 2345 Westside Drive, N. Chili 14514  
 AND BE IT FURTHER RESOLVED that the Insurance Counselor be so notified of these additions. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #26 Letter to Carol A. O'Connor, Town Clerk, from James Perna, Corres. Secy., Chili Fire Dept., Inc., re: change in active list.

#8 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Chili Fire Dept., Inc., the names of James H. Fodge, 27 Barry Lane, be removed from the list of active volunteers AND BE IT FURTHER RESOLVED that the Insurance Counselor be so notified. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #27 Letter dated January 10, 1980, to Chili Town Board, from Michael J. Skeps, submitting his resignation as a member of the Chili Conservation Board and EMC.

#9 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Michael Skeps' resignation as a member of the Conservation Board and EMC be accepted. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #28 Letter dated January 15, 1980, to Supervisor James J. Powers from Peter W. Sullivan, Asst. Dir. of Street Lighting, Rochester Gas & Electric, re: lighting recommendation for Union St. at Morgan Rd.

#10 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Supervisor Powers be authorized to sign the agreement with Rochester Gas & Electric Corp. for a change in lighting at the intersection of Morgan Rd. and Union Street at an estimated annual increased cost of \$150.00. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #29 Letter dated January 15, 1980, to Town Board, Town of Chili from Stephen A. Chudyk, Supt. of Hwys., re: request to have roof leaks repaired in Highway Garage addition area.

#11 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Superintendent of Highways be authorized to take in at least two quotes from reliable sources to estimate repairs needed on garage roof and is hereby authorized to have the roof repaired. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #30 Memo dated January 16, 1980, to Supervisor Powers and Chili Town Board Members from Carol O'Connor, Town Clerk, re: application from Evergreen Trailer Park.

#12 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the application of the Evergreen Trailer Park for a Town of Chili License for the year 1980 be approved AND BE IT FURTHER RESOLVED that the applicant be required to notify the Supervisor or Building Inspector when a new trailer is moved onto the property so they may inspect the installation and the applicant provide the Town of Chili Town Clerk with a listing of the owner of each trailer, AND BE IT FURTHER RESOLVED that an electrical inspection be held. Seconded by Councilman Pikueta. Carried Unanimously.

Corres. #31 Memo to Chili Town Board from Councilman Nowicki, re: Developmental Review Committee.

#13 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                   |             |
|-----------------------------------|-------------|
| General Fund Vo. Nos. 1 - 41      | \$22,820.16 |
| Highway Fund Vo. Nos. 1 - 40      | 10,244.19   |
| Morgan Road Water Dist. Vo. 1 & 2 | 150.00      |
| Chili Water Dist. Vo. No. 1       | 23.00       |
| Hillary Drainage Dist. Vo. NO. 1  | 573.10      |

Seconded by Councilman Nowicki. Carried Unanimously

Corres. #32 Letter from Mr. Chudyk, Supt. of Hwys., requesting a resolution authorizing the signing of agreement to repair town roads.

#14 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Supervisor and Councilmen be authorized to enter into an agreement to spend the Town Highway Funds to repair and improve the Town roads. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #33 Letter dated January 16, 1980, to Supervisor Powers from Mr. Bergmann, Town Engineer, re: release of money from letter of credit on Pudgie's Pizza.

#15 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that as per the recommendation of the Town Engineer, Mr. Bergmann, \$500 be released and \$500 be retained from the letter of credit on Pudgie's Pizza. \$500 retained for storm drainage on Pudgie's Pizza and the \$500 be put into the Town Storm & Road Fund for future drainage improvements. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #34 Letter dated January 16, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: terminated employment with the Town of Wayne D. Ciluffo and \$160.00 in damages he owes to town property.

#15A RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Town Engineer be authorized to prepare specifications on the Town Hall and Library roof replacement, monies to come from the Revenue Sharing Budget for 1980. Seconded by Councilman Criddle. Carried Unanimously.

#16 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the Supervisor be authorized to contact the highest authority regarding the rectifying of the extremely poor construction on Chestnut Ridge Road project, particularly in the area of Fenton Road And BE IT FURTHER RESOLVED THAT the letter be sent by registered mail. Seconded by Councilman Criddle and carried unanimously.

#17 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Donald W. Owens, Soil Scientist, be authorized to be present during the County Testing of the landfill site no. 5 and shall examine the soil samples obtained and report back to the Town Board for a cost not to exceed \$240.00. Seconded by Councilman Ramsey. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikuet, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, no.

MR. GREENBLAT was present regarding the recycling center. SUPERVISOR POWERS preferred to discuss this further with MR. GREENBLAT.

COUNCILMAN PIKUET asked if any response was heard from General Code Publishers. SUPERVISOR POWERS said will call and set up a time to meet with them.

COUNCILMAN CRIDDLE said the milage question was still hanging. SUPERVISOR POWERS had a call from Greece inquiring about ours. Some towns are providing vehicles. Most towns are between 15¢ and 18¢ per mile.

Meeting adjourned at 10:45 P.M.

*Carol A. O'Connor*  
Town Clerk, Carol A. O'Connor

T O W N B O A R D  
FEBRUARY 6, 1980

A Meeting of the Town Board, Town of Chili, was held on February 6, 1980, at 8:00 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Supervisor Powers, Councilman Ramsey, Councilman Pikuett, Councilman Criddle, Councilman Nowicki

ALSO PRESENT: Carol O'Connor, Town Clerk; Mr. Kelly, Town Atty.; Mr. Bergmann, Town Eng.; Mr. Vail, Sr. Ins. Counselor, Mr. Chudyk, Supt. of Hwys.

The Minutes of the Adjourned Town Board Meeting held December 28, 1979, were amended and approved as amended.

The Minutes of the Town Board Meeting held December 28, 1979, were approved and amended and amended as approved.

MR. BILL VAN DUSER, 1827 SCOTTSVILLE ROAD: Asked the Board to consider a resolution to go into a Joint Venture with other tax districts affected by the airport expansion. The proposals are due back from the Federal Government and have tentatively received approval. I have tentatively received approval from Wheatland-Chili to hire consultants and to study the tax base of all districts and determine what the effect of the expansion is. The initial draft has not been dealt with. Mr. Langren said there would be no effect on the tax base. A joint venture to get clear the issue on this would be very worthwhile. There are many other tax districts that are not aware of what the effect will be. I don't think much of the tax districts realize this. At the present time, with our area legislatures, we would not have enough to vote this down.

SUPERVISOR POWERS: Number one, you raise a serious legal question as far as joining other tax districts. I recall the UDC project with the Town of Greece, and we could not do so. I might also say that while in attendance at a Chamber of Commerce meeting, Mr. Langren made several statements. One was that they were not going to redline as they had previously indicated. I requested Mr. Langren give a copy of the reports to the Supervisor Hart and myself. I have talked to Kenneth Cole in New York to see if we could work with the County on this project.

COUNCILMAN PIKUETT: When are you requesting this cooperation?

MR. VAN DUSER: A representative from each Town Board and there are other groups such as teachers unions. I am talking about conducting a study on properties in the area that would not receive any federal loans. The property is going to be devaluated.

SUPERVISOR POWERS: They are not going to redline. They are not going to notify the banks of such.

COUNCILMAN NOWICKI: Are you going around to the various towns to get a coalition together?

MR. VAN DUSER: I went for a landfill hearing. They through this airport thing in as new business.

COUNCILMAN NOWICKI: Wasn't there something either Federal or State that said any projects like that need an Impact Study on them?

MR. VAN DUSER: There is a report dollar wise stating what the airport brings into the County as a whole.

SUPERVISOR POWERS: I have been attending meetings on this for a long time. I did raise the question of economic impact studies. There is a Supervisor's Association Meeting, and I will bring it up.

COUNCILMAN PIKUETT: As a private citizen, I will join your venture and act as a liason to this Board until we can get further information on this.

JEAN PHILLIPS, 80 BALLANTYNE ROAD: Has the Federal Government approved the funding for this airport expansion?

SUPERVISOR POWERS: I am assuming the questions that were raised at the Public Hearing can be transcribed and reports then go to the FAA.

MS. PHILLIPS: I wish that someone on this Board would check to see if the County has received federal funding. Because if so, we have better get busy.

CLAIRE MONTGOMERY: The legislature can't act until they have the official documents back. Was the FAA report back? The Master Plan must be back before the legislature can act. The FAA report is just something for their information. The monies have been expended for a few years for the actual design. It has taken until now to adopt this document and evaluate and decide which plan they will go with. They are not in final design stage.

MR. KELLY: We should find out if monies have been expended by the Federal Government and if that report has come back.

Corres. #35 Letter dated January 21, 1980, from Raymond E. Keefe, Comm. of Physical Services, Co. of Monroe, To Supervisor Powers, re: Chestnut Ridge Road (#76736) advising that it would be possible for the Town to procure the portion of roadway, which was abandoned in the improvement project and that the swales in the area have been inspected and in the area of the new Fenton Road intersection, some will be piped and others will be lessened in their depth.

#18 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Supervisor be authorized to respond to Mr. Keefe, Comm. of Physical Services, Co. of Monroe, regarding the County property abandoned as a result of the Chestnut Ridge Road improvement project and accept the offer of the "Quit Claim" deed on the property in the best interests of the Public Health, Safety and Welfare in the Town of Chili area AND BE IT FURTHER RESOLVED that the Insurance Counselor be notified immediately upon acquisition of said property. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #36 Letter dated January 27, 1980, to Chili Town Board from Tracy L. Logel Asst. Leader; Linda Otte, Asst. Leader; and Edna Wells, Leader, Girl Scout Troop #760, re: unsatisfactory conditions at the DeMeco House and requesting a partial refund on the cost of a griddle which they feel was damaged due to negligence on the part of the town.

#19 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the Girl Scout Troop #760 be reimbursed in the amount of \$6.50 for a griddle, which was damaged at the DeMeco House. Seconded by Councilman Pikuot. Carried Unanimously.

Corres. #37 Letter dated January 29, 1980, to Supervisor Powers from James H. Howarth, Earthborn Builders, requesting permission to erect a sign advertising their subdivision, Springbrook, on Hubbard Park Property and their willingness to contribute \$100 to the Recreation Commission in lieu of rent for the privilege of erecting the sign on Town property.

Corres. #38 Soils report prepared by Earth Dimensions, Inc., dated January 8, 1980, of the Graczyk-Neri Parcel, submitted to the Town Board by the Chili Landfill Committee.

Corres. #39 Chili Dog Control Officer's report submitted for month of January, 1980; to be on file in Town Clerk's office.

Corres. #40 Letter dated January 21, 1980, from Erdman Anthony, Assoc., to James J. Powers, Supervisor, re: request for payment - Chili Memorial Park, Henderson Addition, recommending that \$16,360.65 be released to the contractor at this time for work which has been completed.

#20 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the \$16,360.65 be released to Spear-Hendershot from the CDA monies of the County of Monroe, and shall be paid upon receipt of the CDA monies from the County for work which has been completed on the Henderson addition, per the recommendation of the Town Engineer, Erdman & Anthony, Assoc. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #41 Letter dated January 28, 1980, to Supervisor James Powers, from Everett H. Weil, Ins. Counselor, re: equipment schedule on the Inland Marine Section of the Special Multi-Peril Insurance advising that the Hartford has found the values to be understated and attaching a copy of the schedule with current values according to the "Contractors'-Green Book" and the values as shown on the policy.

Corres. #42 Letter dated February 3, 1980, to Chili Town Board, Supervisor James J. Powers, from Jerome F. Brixner, Chairman, Chili Recreation & Youth Comm., recommending a 90-day provisional appointment of Mrs. Joyce Murphy to the position of Clerk/typist for the Recreation Dept. at a pay rate of \$4.46 per hour.

#21 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the position of Clerk/Typist for the Recreation Dept. be created at a salary rate of \$4.30 per hour for a temporary, 90-day provisional appointment of Mrs. Joyce Murphy. Defeated for lack of second.

#22 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED That the position of Clerk/Typist for the Recreation Dept. be created at a salary rate of \$4.17 per hour for a temporary, 90-day provisional appointment of Mrs. Joyce Murphy. Seconded by Councilman Pikueta. Carried by the following vote: Councilman Ramsey, no; Councilman Pikueta, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, aye.

Corres. #43 Memo dated February 3, 1980, to Town Board from Supervisor Powers, re: Temporary Clerk/Typist for the Building Dept.

#23 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Mary Castellani, 18 Andony Lane, Rochester, NY, 14624, be appointed Temporary Clerk/Typist for the Building Dept. for a period of 90 days to be paid on the basis of an annual salary of \$7,300.00. Defeated for lack of a second.

#24 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that LISA JEAN PHILLIPS, 80 Ballantyne Road, Rochester, NY be appointed Temporary Clerk/Typist for the Building Dept. for a period of 90 days, to be paid an annual salary of \$7,300.00. Seconded by Councilman Pikueta. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikueta, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, no.

Corres. #44 Memo dated February 3, 1980, to Town Board from Supervisor Powers, re: PT Zoning Officer.

#25 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Deborah Voorheis be appointed part-time Zoning Officer for the Town of Chili, to serve at the pleasure of the Board AND BE IT FURTHER RESOLVED that she shall be paid at the rate of \$5.50 per hour. Seconded by Supervisor Powers. Carried Unanimously.

Corres. #45 Memo dated February 3, 1980, to Town Board from Supervisor Powers, re: PT Account Clerk.

#26 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Lorraine Anderson be appointed Part Time Account Clerk for the Highway Dept. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #46 Memo dated February 5, 1980, to Supervisor James Powers from Scott E. Carpenter, Assessor, re: Assessors' Training Program.

#27 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Scott E. Carpenter be authorized to attend Phase I of the Assessors' Training Program for Certification to be held at Batavia Community College from March 3 - 7, 1980, expenses to be paid by voucher as incurred. Seconded by Councilman Pikueta. Carried Unanimously.

Corres. #47 Letter dated February 5, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., re: public hearing for opening of bids for 10-wheel dump truck.

#28 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that a public hearing be held on March 5, 1980, at 8:30 P.M. to open bids for the purchase of a ten-wheel dump truck for the Highway Dept. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #48 Letter dated February 5, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., re: idfficulties created by the lack of a Parking Ordinance and asking that same be adopted soon to enable snow and ice operations to be expedited.

Corres. #49 Letter dated February 5, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., re: problem created on Wadsworth Drive cul de sac by construction of a new home and requesting that the Engineer be authorized to stake out corrective action to enable the Town Crews to re-establish the cul de sac when weather permits.

Corres. #50 Letter dated February 5, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., re: requesting \$25,000 allocated for garage addition be released to enable highway personnel to begin work on same as time is available.

Corres. #51 Letter dated February 6, 1980, to James J. Powers, Chili Town Board, from Jerome Brixner, Chairman, Chili Recreation & Youth Comm., re: refund.

#29 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that a refund be given to Robert Bonnes, 480 Gillette Road, Spencerport, NY, in the amount of \$58.00, which represents the fee for a gymnastics class his daughter was unable to attend due to injuries AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to issue a check in said amount. Seconded by Supervisor Powers. Unanimously approved.

Corres. #52 Letter dated February 5, 1980, to Supervisor James J. Powers, from Robert L. Fitch, Dir. of Transportation, Co. of Monroe, re: Paul Road (71036) advising that they are in the process of preparing various papers necessary for implementation of the improvement of the Paul Road Chili Avenue intersection.

Corres. #53 Statement of dues for New York State Association of Conservation Comm.

#30 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the Supervisor be authorized to issue a check in the amount of \$50.00 to the N. Y. S. Assoc. of Conservation Comm. for 1980 dues for the Chili Conservation Board. Seconded by Councilman Nowicki. Carried Unanimously.

#31 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                |             |
|--------------------------------|-------------|
| General Fund Vo. Nos. 42 - 125 | \$41,036.15 |
| Highway Fund Vo. Nos. 41 - 88  | 27,611.95   |
| Rev. Shar. Vo. No. 1           | 15,000.00   |
| Chili Drain. No. 1 Vo. 1       | 43.30       |
| Hillary Drain. Mo. Nos. 1 & 2  | 57.60       |
| Cash Rd. & Storm (West Canon)  |             |
| Vo. 1 & 2                      | 1,709.75    |

Seconded by Councilman Nowicki. Carried Unanimously.

#32 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Chili Drainage Committee, it is resolved by this Town Board that proceedings be taken in accordance with Article 12-C, section 209-r of the Town Law of the State of New York, whereby, all existing drainage districts in the Town be dissolved and the subsequent management, maintenance, operation and repairs relating to drainage shall thereafter be handled as a Town Function and a public hearing on such proposed dissolution be held at 8:45 P.M. on March 5, 1980, all in accordance with section 209-r of the Town Law. Seconded by Councilman Criddle. Carried Unanimously.

- Corres. #54 Letter from Erdman Anthony, Assoc., to Town Board, Town of Chili, re: Dedication of Walnut Hills and not recommending such until further improvements are made.
- Corres. #55 letter to Councilman Pikuet from the Chili Landfill Comm. thanking the Firm of Erdman & Anthony, Assoc., for their professional advice and assistance.

#33 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Town Board meeting scheduled for February 26, 1980, be cancelled. Seconded by Councilman Nowicki. Carried Unanimously.

COUNCILMAN NOWICKI asked if any action has been done on the repairs to the Garage roof? MR. BERGMANN said Jack is to get us estimates. We haven't had anything yet. COUNCILMAN NOWICKI asked if anything was back on the recommendations to the Planning Board and Zoning Board regarding driveway cuts? SUPERVISOR POWERS said no.

COUNCILMAN CRIDDLE asked are we in good shape with the budget for snow removal? MR. CHUDYK said we have been using quite a bit of salt on Hills and curves and subdivisions.

SUPERVISOR POWERS said he has followed up with a letter to Dave Powell on some of the questions raised.

#34 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the Town Board authorized the Parks and Recreation Dept. to purchase a tractor under state bid contract, cost not to exceed \$8,200.00, which was covered in the budget, per the specifications prepared by the Parks Dept. Seconded by Supervisor Powers. Carried Unanimously.

Meeting adjourned at 10:40 P.M.

Town Clerk, Carol A. O'Connor

*Carol A. O'Connor*

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SPECIAL TOWN BOARD MEETING  
FEBRUARY 28, 1980

A Special Meeting of the Town Board, Town of Chili, was held on February 28, 1980, at 7:00 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Special Meeting was called to order by Supervisor Powers.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Nowicki, Councilman Criddle, Supervisor Powers.

ALSO PRESENT: Carol A. O'Connor, Town Clerk; Mr. William C. Kelly, Town Atty.

#35 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that a public hearing be held on Friday, March 14, 1980, at 8:00 P.M. on the request of DePaul Mental Health Services, to open a group home on property located at approximately 3309 Union Street. Seconded by Councilman Criddle. Carried Unanimously.

The meeting was closed at 7:10 P.M.

Town Clerk,  
Carol A. O'Connor  
*Carol A. O'Connor*

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T O W N B O A R D  
MARCH 5, 1980

A Meeting of the Town Board, Town of Chili, was held on March 5, 1980, at 8:00 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Nowicki,  
Councilman Criddle, Supervisor Powers

ALSO PRESENT: Carol A. O'Connor, Town Clerk; William C. Kelly, Town Atty.;  
Daniel L. Miller, Dept. Town Atty.; Mr. Stephen Chudyk, Supt. of  
Highways; Mr. Bergmann, Town Engineer.

The Town Board Minutes for the meeting held on January 16, 1980, and the meeting held on February 6, 1980, and the meeting held on February 28, 1980, were amended and approved as amended.

WALTER BLOSS, 61 SEQUOIA DRIVE: The Drainage Committee has asked me to see if we can get some help for Mrs. Pagliucco. Her property has a drainage ditch with water running to the northeast corner of her property instead of going west. What seems to be running from Chili Avenue goes back to this corner of her property. We have tried to get some action, but no results. We would like to ask the Board to hold up anything definite in the way of monies deposited until this is cleared up. MR. BERGMANN: We have put pressure on them to correct this, but there hasn't been anything done. SUPERVISOR POWERS said we do have a Letter of Credit good until September, 1980, so they may ask for further releases, and we don't necessarily have to release these monies. I am sure they will ask for releases, and we will not release any. MR. BERGMANN said I think you will be seeing some action this month. We will write him a letter stating he is liable for damages to her property.

JAMES PERNA, 1053 PAUL ROAD: I am requesting some street lights on our street. It is very dark, and I have kids parking in my driveway and in the lane across the street from me. This is very disturbing. There are three houses there, and it would be nice to have a couple of lights there. At least one down toward my end.

MR. JEROME BRIXNER, 14 HARDOM ROAD: As Chairman of the Chili Recreation & Youth Commission, we were a little disappointed when the Town Board failed to accept the recommendations of our Liason, Councilman Ramsey, and increase Mrs. Murphy's remuneration. A year ago, Mrs. Murphy was asked to take a test for Payroll Clerk and for Account Clerk. The Commission set up with the condition that upon passing these tests, she would be full time. The Commission recommended \$4.62. It was deemed later that the subject position would be Clerk Typist. Last month, she received this temporary appointment, subject to her taking the Clerk Typist test. We are very disappointed that Councilman Ramsey's recommendation for \$3.30 was not approved. SUPERVISOR POWERS: Those tests she took were not applicable to the job she does. She has been told to take the Clerk Typist test over and over again. If she passes, she is put on a probationary period. At the end of that period of time, she will receive permanent appointment. There will be disappointments, but this Board sets the salaries, and she did get a 7 percent increase last year. We took in a number of factors in arriving at our decision. Because the Recreation Commission recommends, does not necessarily mean they will get a "Full Stamp of Approval". COUNCILMAN RAMSEY: To clear up the record, Mrs. Murphy did take those tests based on information we had at that time.

DONALD FASO, 134 HILLARY: Has the Board considered a monetary presentation for the Chairman of the Drainage Committee? A lot of time does go into that job and Walter Bloss does do a good job. SUPERVISOR POWERS: There is nothing in this year's budget for that, and I do agree with you, this does deserve some consideration.

Corres. #56 Letter dated February 11, 1980, to Supervisor James J. Powers, from Graham E. Chamberlain, Director of Street Lighting; R-G & E; re: street lighting for Westside Drive (Whittier Road to Buffalo Road) at an estimated cost annually of \$2,900.00.

## #36 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Supervisor Powers be authorized to sign the proposal for street lighting on Westside Drive from Whittier Road to Buffalo Road at an estimated cost of \$2,900.00, annually. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #57 Letter dated February 11, 1980, to Supervisor James J. Powers, from Graham E. Chamberlain, Director of Street Lighting, R G & E, re: proposal to install street light on Union Street at Parkway Drive at estimated annual cost of \$80.00.

## #37 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Supervisor Powers be authorized to sign the proposal for installation of a street light at Union Street and Parkway Drive at an estimated annual cost of \$80.00. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #58 Letter dated February 20, 1980, to Chili Town Board from James L. Hendricks, Esq., re: appeal of Planning Board's denial of the conditional use permit for Joe Gomes, 15 Bright Oaks Drive.

## #38 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that a public hearing be held on March 19, 1980, at 8:30 P.M. for the purpose of hearing the appeal of the Planning Board's denial of the application of Joe Gomes, 15 Bright Oaks Drive, for a conditional use permit. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #59 Letter dated February 25, 1980, to Supervisor James J. Powers, from David C. Powell, Reg. Traffic Eng., N.Y.S.D.O.T., re: File 26.13-252A, Study, 4795128, advising that investigation of the intersection of Archer Road and Route 252A has been completed, and they find no need at this time for a 3 color signal, but will replace stop signs with oversize signs and stop ahead signs will be brought into conformance with the Manual of Uniform Traffic Control Devices.

Corres. #60 Summons received on February 26, 1980, re: Jean Bierbrauer vs. Town of Gates, Gates-Chili Central School District, and Town of Chili. Copies have been given to Mr. Kelly and Mr. Vail.

The Town Board meeting was adjourned to Public Hearing at 8:30 P.M. and reconvened at 8:35 P.M. Roll Call: Same as previously recorded.

Corres. #61 Letter dated February 29, 1980, to Supervisor James J. Powers from Mark H. Fuller, Executive Director, DePaul Mental Health Services, re: their application for a community residence.

Corres. #62 Minutes of the Chili Conservation Board Meeting held January 23, 1980, submitted; to be on file in the Town Clerk's Office.

Corres. #63 Chili Dog Control Report for February, 1980, submitted; to be on file in the Town Clerk's Office.

Corres. #64 Report submitted by Supervisor Powers on Association of Towns Meeting held February 17-20, 1980.

Corres. #65 Report submitted by Kathleen Powers on Association of Towns Meeting held February 17-20, 1980.

Corres. #66 Memo dated February 8, 1980, to Chili Town Board from Scott E. Carpenter, Assessor, re: properties owned by the Gates-Chili School District and YMCA, which are presently tax exempt.

Corres. #67 Memo dated February 13, 1980, to Supervisor Powers and Town Board from Carol O'Connor, Town Clerk, re: Black Creek Trailer Park.

## #39 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the application of Black Creek Trailer Park for a Town of Chili license for the year 1980 be approved AND BE IT FURTHER RESOLVED that the applicant be required to notify the Supervisor or Building Inspector when a new trailer is moved onto the property so they may inspect the installation and the applicant provide the Town Clerk with a listing of the owner of each trailer, AND BE IT FURTHER RESOLVED that an electrical inspection be held. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #68 Application for renewal of membership in N. Y. S. Animal Control Assoc., Inc., submitted by Daniel F. Rose.

#40 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$25.00 for 1980 membership dues to the New York State Animal Control Association, Inc., for Daniel F. Rose, Dog Control Officer. Seconded by Councilman Nowicki. Unanimously approved.

Corres. #69 Application for renewal of Chili Conservation Board membership for 1980 in the Center for Environmental Information.

#41 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$30.00 for the Center of Environmental Information for the 1980 dues for the Chili Conservation Board. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #70 Letter dated February 22, 1980, to Chili Town Board from Robert E. Connolly, Building Inspector, requesting permission for him and Mrs. Voorheis to attend the Annual Finger Lakes Building Officials School.

#42 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Robert Connolly and Deborah Voorheis be authorized to attend the fifth Annual Finger Lakes Building Officials School to be held at the Trenholm East Inn, Victor, New York, on April 21, 22, and 23, 1980, expenses to be paid by voucher as incurred. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #71 Memo dated February 26, 1980, to Supervisor James Powers from Scott E. Carpenter, Assessor, re: non-contiguous parcels under common ownership and the County's requirement that separate tax account numbers be applied in these instances, resulting in some residents receiving more than one tax bill in the future.

Corres. #72 Memo dated February 28, 1980, to Chili Town Board, from Town Justices requesting \$1,000 be transferred into their equipment account to allow for the purchase of various items for their office.

#43 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that \$1,000 be transferred into the Town Justices Equipment account from the Contingent Fund, for the purchase of various items for their office. Seconded by Supervisor Powers. Carried Unanimously.

The Town Board was adjourned to a Public Hearing at 8:45 P.M. and reconvened at 9:20 P.M. Roll Call: Same as previously recorded.

The Town Board recessed at 9:20 P.M. and reconvened at 9:30 P.M. Roll Call: Same as previously recorded.

Corres. #73 Letter dated March 4, 1980, to Supervisor James J. Powers, Chili Town Board, from Jerome Brixner, Chairman, Chili Recreation and Youth Commission, requesting refunds from session III Gymnastics.

#44 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Supervisor be authorized to issue refund checks to the following persons, who paid for, but were unable to participate in gymnastics classes:  
 \$20.00 - Emily Harkins, 31 Brewerton Drive, Rochester, 14624  
 \$20.00 - Theresa Conley, 65 Shrubbery Lane, Rochester, 14624  
 Seconded by Supervisor Powers. Carried Unanimously.

Corres. #74 Minutes of Chili Recreation and Youth Commission meeting of January 9, 1980, submitted; to be on file in The Town Clerk's Office.

Corres. #75 Memo dated March 4, 1980, to Chili Town Board from Councilman Ramsey,  
re: Secretary to Recreation and Youth Commission.

#45 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that resolution for the Secretary to the Recreation and Youth Commission be paid \$17.00 per meeting attended, maximum of 14 meetings in the year 1980, be TABLED, until further information is provided by the Recreation and Youth Commission. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #76 Letter dated February 15, 1980, to Town Board, from Stephen A. Chudyk, Supt. of Hwys., advising the items at random were verified as to replacement value for insurance purposes and found in all cases to exceed valuation placed thereon by the insurance sources and asking the Board's pleasure.

Corres. #77 Letter dated February 13, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: amount to be withheld from vendor for late delivery of salt spreader and asking the Town Attorney to rule on the matter.

Corres. #78 Letter dated March 4, 1980, to Supervisor James J. Powers, from Graham E. Chamberlain, Director of Street Lighting, R G & E, re: change required due to reconstruction of Chestnut Ridge Road.

#46 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Supervisor Powers be authorized to sign the authorization from Rochester Gas & Electric Corp. to install one light pole and reinstall fixture on Chestnut Ridge Road at Oliver Lane at an estimated annual increased cost of \$18.36, said work being required due to reconstruction of Chestnut Ridge Road. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #79 Various correspondence regarding request of DePaul Mental Health Services to construct a group residence in the North Chili area:

1. Letter dated February 5, 1980, to Supervisor Powers from Mark H. Fuller, Director, stating their intentions and including a copy of their functional program;
2. Letter to Mr. Fuller from Supervisor Powers informing him the Town is filing an objection to their request;
3. Copy of legal notice for public hearing scheduled for March 14, 1980;
4. Letter dated March 4, 1980, to James Prevost, Comm., N. Y. S. Office of Mental Health from Mr. Fuller, requesting a hearing.

#47 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that \$15.50 be transferred from General Contingent Fund to A1010.4, Town Board Contractual. Seconded by Councilman Nowicki. Carried Unanimously.

#48 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the following abstracts, as prepared by the Town Clerk, Carol A. O'Connor, be approved and bills ordered paid as rendered:

|                                   |             |
|-----------------------------------|-------------|
| General Fund Vo. Nos. 126--227    | \$68,754.99 |
| Highway Fund Vo. Nos. 89--152     | 34,479.49   |
| Cash Rd. & Storm (W. Canon) Vo. 3 | 8,705.14    |
| Hillary Drain. Dist. Vo. 4        | 120.80      |

Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #80 Letter dated February 4, 1980, to Chili Town Board, from David Powell, N. Y. S. D. O. T., re: speed on Chestnut Ridge Road West, he investigated the curve on 33A and finds no justification for reducing the speed on 33A.

Corres. #81 Letter dated February 4, 1980, from David Powell, N. Y. S. D. O. T., RE: various studies of roads in the Town of Chili they are conducting.

#49 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that a Public Hearing be held on March 19, 1980, for the roofing on the Town Hall and Library, to open bids for this. Seconded by Councilman Criddle. Carried Unanimously.

## #50 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Proposal of the General Code Publishers is hereby approved subject to the addition of a supplemental proposal covering emergency legislation as suggested by the Town Attorney and the Supervisor is hereby authorized to enter into a formal agreement or contract embodying the proposal as submitted and supplemented. Seconded by Councilman Nowicki. Carried Unanimously.

## #51 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Resolution No. 605 of December 28, 1979, re: appointment of Betty Bartok as Vice Chairman of the Planning Board, be removed from the Table. Seconded by Councilman Nowicki. Denied by the following vote: Councilman Ramsey, no; Councilman Pikuett, no; Councilman Nowicki, aye; Councilman Criddle, no; Supervisor Powers, aye.

## #52 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED WHEREAS THE TOWN BOARD, of the Town of Chili has conducted a Public Hearing on March 5, 1980, and has determined that it is in the best interest of the Public to instruct and manage, maintain, operate, and repair as a Town Function, Drainage functions, it is  
RESOLVED that all existing drainage districts within the Town be dissolved effective January 1, 1981, thereafter, the subsequent management, maintenance, operation, improvement, planning and repairs relating to drainage will be handled as a Town Function. The proposed proceedings herein were conducted pursuant to Article 12-C, section 209-r of the Town Law of the State of New York. The cost of management, maintenance, operation and repair of all drainage improvements or services provided or authorized to be provided by the district or districts being dissolved shall thereafter be a charge upon the entire Town and shall be levied and collected in the same manner and at the same time as other Town charges providing, however, that the remaining principal and interest on bonds relating to the Chili Drainage Improvement Area No. 1, which are outstanding and unpaid as of the date of such dissolution, shall be borne by the property in said Chili Drainage District Improvement No. 1 in accordance with Section 209-r of the State of New York. Seconded by Supervisor Powers. Carried Unanimously.

SUPERVISOR POWERS said he did pass on to everyone the form on the yearbook for the Fire Dept. birthday. On the bottom right hand corner, you can have your name imprinted, but get this into Mr. Ess as soon as possible. The Committee meets next week, and the price may be going up considerably. He said it is still not too late.

COUNCILMAN PIKUETT: Have you heard from the County on the Quit Claim deed?

SUPERVISOR POWERS: No. I received nothing. MR. KELLY said it has to go to the Committee and nothing is quick - it may take some time.

COUNCILMAN NOWICKI received a few complaints on the skating rink in back of the Town Hall. It is not being open at the appropriate hours and the condition of the rink is bad. JEROME BRIXNER: It is our concern. There is a leak in the ice and the attendants were not in attendance last week. We have it on the adjenda for this week.

COUNCILMAN NOWICKI said under the Transportation Bond Act of 1979--have you made any plans for the allocation to the Town of Chili? MR. CHUDYK was not aware of this and has no information. COUNCILMAN NOWICKI said you are entitled to 75 percent of \$63,409. MR. CHUDYK will check that out.

COUNCILMAN CRIDDLE: Did we cover the garage roof? MR. BERGMANN: We received one price close to our estimate. We have asked for another one, but have not received it. We will pick from the lower of the two.

COUNCILMAN CRIDDLE: Did you ever get a response from Barber Conable regarding the Federal Assistance to purchase that property on Chili Avenue? SUPERVISOR POWERS said not that he knows of. We didn't specifically specify any particular project. There is a booklet that comes out with a variety of Federal Programs. One of them might allow us to get that Roncone Property. COUNCILMAN CRIDDLE: I don't think the property is going to get any cheaper. What do you have to do to get started?

MR. BERGMANN asked Board's permission to send plans for Davis Park B to State at the same time as Board sees them to speed things up. Board can still decide after this comes back from the State - so it was o.k.

Meeting closed at 10:30 P.M.

Town Clerk, Carol O'Connor

P U B L I C H E A R I N G  
M A R C H 5, 1 9 8 0

A Public Hearing was held by the Town Board, Town of Chili, on March 5, 1980, to open bids for the Highway Garage Truck. The hearing was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624. Hearing was called to order by Supervisor Powers.

ROLL CALL: Same as previously recorded.

The Hearing was duly advertised in the Democrat & Chronicle.

BID NUMBER 1

Beam-Mack Sales & Service, Inc.  
2674 West Henrietta Road  
Rochester, New York 14623

\$68,683.  
6,000 trade in  
\$62,683 Net Bid with trade in  
\$68,683 Net Bid without trade in

BID NUMBER 2

Genesee Ford Truck Sales  
1280 Jefferson Road  
P. O. Box 23320  
Rochester, New York 14692

\$66,800  
4,500 trade in  
\$62,300 Net Bid with Trade in  
\$66,800 Net Bid without Trade In

BID NUMBER 3

International Harvester  
P. O. Box 9828  
Rochester, NY 14623

\$67,848.41 Net Bid  
5,100.00 Less trade in  
\$62,748.41 Net Bid with Trade In  
\$67,848.41 Net Bid without Trade In.

The Hearing was closed at 8:35 P.M.

Town Clerk, Carol O'Connor

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PUBLIC HEARING  
MARCH 5, 1980

A Public Hearing was held by the Town Board, Town of Chili, on March 5, 1980, at 8:45 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624 to hear the abolishment of the Drainage Districts proposal. The hearing was called to order by Supervisor Powers.

ROLL CALL: Same as previously recorded.

SUPERVISOR POWERS asked if the hearing was duly advertised. MRS. O'CONNOR, TOWN CLERK, replied, yes it was.

MR. KELLY: The intent of the process is to abolish all of the existing drainage districts within the Town and to handle the matter of drainage as a general, town service. This has been recommended for sometime with the Drainage Committee and through the mechanism of existing laws, we are able to accomplish this. Hopefully, this will provide for better maintenance on a general, townwide basis. Perhaps it would be well to have the comments of the Drainage Committee at this point.

MR. WALTER BLOSS, CHAIRMAN OF TOWNWIDE DRAINAGE COMMITTEE: We highly endorse this solution. It is the only one we have been able to come up with to cure the problems of Chili.

MR. JEROME BRIXNER, 14 HARTOM ROAD: I would like to speak in favor of this as an individual. Does this encompass the full town?

SUPERVISOR POWERS: Yes.

MR. ROBERT BEAN, 155 SHEFFORD ROAD, SOUTH CHILI: I built a house out there 6 years ago. I understand there is a difference between south and north Chili. You have your own expensive problems up here, street lights, high population and drainage. Other people have problems, like the people who bought next to the lake. They get flooded and they ask other people to bail them out. That is too bad. They shouldn't have bought houses there. The tendency these days is for government to solve everyone's problems. I take care of me. You take care of you. If you have an expensive problem, I don't want you to take it out of my pocket. If someday you are going to expand into South Chili, fine. Then pay for it yourself. There will definitely be a drive for a petition for referendum against this.

RALPH BARBARO, HILLARY DRIVE: I was Chairman of the Townwide Drainage Committee for 5 years. The Drainage Committee recommended this as one of three alternatives in 1976. Specifically, the problem that we encountered was not one of money in the sense of raising money for taxing people, but was the problem of a legal nature. All functions of the Town Government are governed by municipal laws. There are several that prohibit funds to be used in a town where specialized districts exist. The primary reason is these monies are for the benefit of the entire county. Money is not to be used in any type of district. The purpose is to remove the artificial and legally restrictive limits that are placed on the Town by having drainage districts. We are not proposing a new district be formed to encompass whole or part of the Town. If you do that, you are simply relieving 40 restrictions that you have now and making one district. We are proposing drainage be handled on a townwide basis as highway maintenance. We should not have separate drainage taxes. The drainage problems in this Town are so wide spread, they encompass almost all of Chili. The problems are no more sectionable in nature than road repair problems, and they are much more significant in that they effect the livelihood, emotional well being of the residents of the Town. Presently, in the 1980 Town Budget, \$50,000 has been allocated for Drainage work. This is not likely to be increased, but revenue sharing funds will be available once the drainage districts are dissolved. Town taxes may not necessarily increase for drainage because \$50,000 plus other funds are available and that is really all this Town has the capacity to spend, anyway. You are already paying taxes on that \$50,000 in the budget. The Town of Chili has assessed valuations of \$34,000,000. Only \$2,000,000 worth of assessments lie south of Black Creek. Or, 5.9%. Of the \$50,000 presently budgeted, 5.9% should be spent south of Black Creek. That is \$2,900. Based on what I have seen, more will be spent in that area. An example, the money needed to study the Black Creek Water shed, the Engineering fees alone would cost \$20,000. These funds are available through community funds. The Town of Greece is getting hundreds of thousands of dollars. Every year, the Federal Government allows so much money for community development. These are not going to be increased because the Town of Chili wants some. We will just get a share of these funds. The others will get a little less. You are already paying for these in the Federal Taxes we all pay. We will get resources that will enable

ua, as a Town, to solve drainage. The average Chili homeowner pays only \$7.50 into the \$50,000 in the budget for drainage. I feel, being a citizen who does not have a drainage problem, \$7.50 is not too great a burden to pay for those who are suffering from drainage problems. We pay more than that to salt our roads during the year. I know you don't want to pay more taxes. We emphasize this to the Town Board. Under no circumstances would we endorse a single drainage district. Let's make it legally possible to draw upon resources available from the Federal and State Governments. We have to remove these legal limitations. All it will cost you is no more than what it is costing you now. I hope our society has not degenerated so much that \$7.50 is too much to spend to help our neighbors.

MS. BETTY BARTOK, 43 BAYLOR CIRCLE: The existing drainage districts vary in size. The small districts can't generate enough funds to pay for improvements. The larger ones have drainage ditches that run outside the drainage district and the Town is already paying for emergency services to relieve those areas. We really need the ability to use state and federal funds to solve these problems. I hope we can abolish these districts and solve our problems in the community so we can continue to grow.

JAMES PERNA: I am in favor of this proposal, and I think it will add to development in this Town.

COUNCILMAN PIKUET: It may seem to you that this is perhaps the north against the south, but just to advise you, you will find the majority of the people on this Board don't live in drainage districts and, therefore, our taxes, if this decision is positive, will be increased the same amount as yours. You will find the majority of the people affected are really the ones that are outside the drainage districts, not strictly in the south part of town.

MR. BEAN: If you want to give to your charity, you are right. I really don't want Revenue Sharing. You can increase my taxes if you want. You should take care of yourself.

DONALD FASO: I would like to explain when he says, "Take care of yourself." I live in a section in Hillary where there is a tremendous drainage problem. I bought my house in July, high and dry. The first storm and homes are flooded. The problem has been fixed, but to solve that problem would cost \$30,000. There are ten homes. If each homeowner has to come up with \$3,000, we couldn't even afford it. It gets very expensive to solve a large drainage problem on an individual basis. The people felt the Town had accepted that subdivision with an inadequate drainage system. There is the complaint.

MR. BARBARO: I think you forget one crucial point, the solution to the problem did not lie within the grasp of individual people. The solution to the problem was outside the legal boundary of that property, and there was no way the homeowner could legally impede that flow of water to his own property without building a dike around his property. There is more than just economics to this thing. All the work down in Hillary Heights has been done outside the property. That was the only economically viable solution to that problem. The drainage districts are only a small part of the water problem. This Town has the ability to use Federal resources so long as they are available. We need to solve these problems in the best way we can. Within the framework of the existing government. It is not costing us alot.

SUPERVISOR POWERS: This would not dissolve Chili number 1?

MR. KELLY: The remaining amount of the bond issued, plus the continuing interest would still be paid out of that area, but all districts automatically will be dissolved. There is a "Save Harmless Clause" in the resolution that will cover the indebtedness of that given area.

SUPERVISOR POWERS: What about properties that are in agricultural districts?

MR. KELLY: It has no effect. It ~~is~~ simply constitutes the abolishment of these single isolated drainage districts, which do not allow for the development of an overall town program.

MR. FRED BEAN, 95 SHEFFER ROAD: What are we going to drain down there?

SUPERVISOR POWERS: There will be no drainage district under this proposal at all. This program allows great flexibility. We aren't always going to be growing to the North of Chili. I am sure you are going to see more and more development south of the creek. This is looking ahead to that time, when we may find a nice knoll to build on down there.

MR. BEAN: I appreciate the problem, but it bothers me because I don't care to have anyone come down there and build. I would like to keep it an agricultural district.

MR. BRIXNER: What is the thing on setting up priorities on the projects?

MR. KELLY: That is the intention of the Board, to set up a capital plan program. The Town consists of 43 percent flood area, and there is certainly a serious need to provide some drainage relief. Some studies in that direction can assist the Town economically and otherwise. It will have to be a capital balanced program. You can't continue to suffer with that type of problem without making some approach to solve it.

MR. BERGMANN: This resolution is in no way establishing any tax. There is no taxation involved in this resolution.

MRS. MC MULLEN, 280 MORGAN ROAD: I agree with Mr. Bean. I don't care about some of these drainage problems. I don't have a problem, and I don't want to pay. How many of these people cared about the landfill problem I have in my area?

MR. BARBARO: I would just like to say, every member of the Drainage Committee was out there campaigning and getting petitions signed when they wanted to put a landfill in Black Creek Park. It was your front yard. We were there to help you. We didn't consider that landfill as an isolated parcel. It is a town wide parcel and we were there to help you whether you say us or not.

The hearing was closed at 9:20 P.M.

Town Clerk  
Carol O'Connor

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SPECIAL TOWN BOARD  
MARCH 14, 1980

A Special Meeting of the Town Board, Town of Chili, was held on March 14, 1980, at 8:00 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, NY, 14624. The Meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Nowicki, Councilman Criddle, Supervisor Powers.

ALSO PRESENT: Town Clerk, Mrs. O'Connor; Town Atty., William C. Kelly; Dept. Town Atty., Daniel L. Miller.

The Town Board Meeting was adjourned to the special hearing on the DePaul Mental Health Services Clinic.

SUPERVISOR POWERS: At the request of the DePaul Mental Health Center, we are having this hearing for a place of residence for the mentally ill adults. We will let you make your presentation first.

MR. FULLER: I appreciate the opportunity to come here. I want to give you a little bit of background on the DePaul Clinic, and what we have planned. DePaul, for 21 years, has been an out-patient mental health center. Right now, it is at 681 Brown Street. Over the last two years, we have been planning for development of houses for mentally ill adults who have to be placed in a center. We opened our first home in the city in October of 1979. We have one in Churchville, one in Chili, and two in the City of Rochester. I have a slide and tape presentation. DePaul is a non-profit agency and a child guidance clinic. Since 1979, it has evolved into a full mental health clinic. It provides diagnostic treatment, psychologists, social workers, and psychiatric nurses. It services a person from infancy to adulthood. Types of problems served include mental illness and adjustment problems, marital disorder and communication gaps, drug and alcohol problems and learning difficulties and child abuse. It offers various treatment modes: individual, family and group therapy. It is supported by fees charged on a sliding scale and United Community Chest monies and the State of New York through the Monroe County Mental Health Board. There are a full range of consultive services to the family court, St. Joseph Villa, and St. Mary's Hospital. We have out patient services here in Chili at the out-patient center. The pictures of the home in the city show it looks like any other single-family house. In addition to 681 Brown Street out patient facilities, we are jointly sponsoring the out-patient services now in Chili. Basically, it is our philosophy to spread the community residences throughout Monroe County. We want to pick a community that doesn't have any existing community residences. In addition, because of the Chili Counseling Center being nearby, we could provide services. It is close to the mall for shopping and bus routes. Our philosophy is to purchase as many goods for the home as we can in the community, and to support the Town of Chili. When we have openings, we offer to the community residents those jobs. The property will be leased to DePaul and remain on the tax roles. We hired a local designer who designed it just like any other single family home. It is 3,200 square feet.

MR. CHARLES LYTTLE: Our home on West Avenue is run as follows: on a typical day, the people get up between 6 and 8 a.m. They take off to training programs, vocational rehabilitation, school or day hospital programs. Everyone is involved in some type of program during the day. At least 20 hours a week, some 40 hours a week. We take turns cleaning, shopping, and cooking. The staff goes with them to the bank and around 6 p.m. we have dinner, which is prepared by the people in the home with little supervision by the staff. The staff is willing to help. The meals are very normal. Everyone has a chore to do. The evening is like a normal home evening. Some people watch TV, others go shopping or to local events, some play cards. We have gone to the War Memorial for concerts like any normal family would. They are in bed between 10 and 11 p.m. On the weekend, they are in bed between 11 and 2 a.m. Our people are involved with the church in the community.

SUPERVISOR POWERS: Will this have separate bathroom facilities?

MR. FULLER: Yes.

SUPERVISOR POWERS: What are we talking about regarding staff?

MR. FULLER: 5 full-time people, plus additional supportive staff and maintenance-- drivers. There is 24-hour-a-day supervision on site. We have one person live in 24 hours a day. He is relieved on weekends. During peak hours when the other staff will be there

to help with cooking and getting them ready for bed. All are trained with previous experience in working with the mentally ill. All are not certified social workers. Usually Bachelor's level education with experience.

SUPERVISOR POWERS: This house will be leased?

MR. FULLER: Yes.

SUPERVISOR POWERS: Is there state aid to the builder?

MR. FULLER: No. DePaul gets state aid, but there is none direct to the builder at all.

SUPERVISOR POWERS: Has DePaul actually purchased this land?

MR. FULLER: DePaul will not purchase it. It has been purchased by the builder.

SUPERVISOR POWERS: What are the fees required individually?

MR. FULLER: Each client receives social security. He pays DePaul, which is matched by state aid coming to \$830 per month. This is one third the cost of the psychiatric centers. It is slightly under \$10,000 a year to live in a community center.

SUPERVISOR POWERS: Isn't the Monroe Developmental Agency the group that approached Irondequoit?

MR. FULLER: We are separate and distinct. We work with a different disability.

SUPERVISOR POWERS: There is one in Gates now?

MR. FULLER: Yes. I think they have 15 individuals out in the County.

MR. CRIDDLE: How many organizations are there now in the County that conduct this group living arrangement?

MR. FULLER: 6 to 7.

COUNCILMAN CRIDDLE: Do they deal with different types of disabilities?

MR. FULLER: Yes. Alcohol is one. Mental health, also.

COUNCILMAN CRIDDLE: You do have out-patient services dealing with alcoholism?

MR. FULLER: We only deal with alcoholism in the sense that they have a mental illness. We don't deal as Alcoholics Anonymous.

COUNCILMAN CRIDDLE: Would you explain briefly how these individuals are selected for eligibility into the home?

MR. FULLER: We have a Community Advisory Board for each house, which is made up of local people. They meet as often as necessary to help coordinate the movement of people into the area.

COUNCILMAN NOWICKI: Can you identify any of these people by name?

MR. FULLER: Well, there is an Admissions and Discharge Committee. There are two representatives for the Rochester Psychiatric Center, a representative from the Community Advisory Board, and others. Each person having a vote for the admission to each house.

COUNCILMAN CRIDDLE: They, in their good judgement, determine whether an individual would respond to this type of living, and if he will fit in should he be placed into this situation?

MR. FULLER: Right.

COUNCILMAN PIQUET: One of the prerequisites is the individual must possess self-preservation?

MR. FULLER: Everybody is ambulatory. We don't have wheelchair clients. Self-preservation means the person can sense fire, smoke, and upon seeing physical harm to themselves, can exit the facility in less than 90 seconds.

COUNCILMAN PIKUET: DePaul treats mentally ill rather than retarded?

MR. FULLER: Retardation is an actual IQ below 80. These people have normal IQ's but have psychiatric disorders.

COUNCILMAN CRIDDLE: Are you saying that those people could respond to this treatment and could be, in time, put back into society?

MR. FULLER: Absolutely. That is the whole intent--to make these people functioning members of society again.

COUNCILMAN CRIDDLE: We have all heard of people with nervous breakdowns. It could be anyone from any neighborhood, or someone who might end up in the state hospital for a time. Could this individual, as part of his treatment, be placed into a situation like this?

MR. FULLER: Very much so. This type of environment with only 13 people leads to the clients getting better, rather than a hospital like setting.

COUNCILMAN CRIDDLE: Just to clarify, you are not talking of a home that would have people with grave difficulties?

MR. FULLER: No. This is not that type home. These people are all ambulatory and this is their first step to getting into society.

COUNCILMAN NOWICKI: Who presently owns the land?

MR. FULLER: I don't know.

SUPERVISOR POWERS: Mr. Glidden, I think.

COUNCILMAN NOWICKI: Do you have a purchase offer? What is your structure?

MR. FULLER: The contractor that is building the house owns it.

COUNCILMAN NOWICKI: Who is that?

MR. FULLER: The contractor asked to remain anonymous. He does a lot of building in the Town, and requested we not name him.

COUNCILMAN NOWICKI: You are refusing to answer the question, then?

MR. FULLER: No. I will answer the question. James LeChase.

SUPERVISOR POWERS: This is a community residence facility?

MR. FULLER: Yes.

SUPERVISOR POWERS: We are under section 3134; it must be treated as a family unit. Such a facility must comply with local laws and ordinances governing family units.

MR. MILLER: They should be related by blood according to our definition. You would have to come in to get a variance for this type of residence as you indicated you would be willing to do. Those people are related by blood.

MR. FULLER: I will be glad to have you contact our attorney, Edwin Larkin. He has tried to contact the Town Attorney 6 times, but can't get through. Under section 1314 of the law, the reasons are to define any residence of 14 or less clients as a single family unit.

SUPERVISOR POWERS: I have had a chance to glimpse the mental hygiene law. You did send a letter to the commissioner, and the law says we should hold a public hearing. The time limitation is quite narrow. There is legislation before the state to extend this to 90 days instead of 40 days. It did take us sometime to research the mental hygiene law. I felt everyone should have a chance to find out what is going on. If there was no objection by the Town, you could have gone ahead and built the facility. If the Board finds the site objectionable, we now have 15 days or do we have 15 days at the end of the 40 days to find an alternative site?

MR. FULLER: The letter you wrote to Mr. Davis states from 15 days from receipt of the letter, the Commissioner of Mental Health makes the hearing. An administrative hearing. At which time, the office of Mental Health makes the hearing on the objections

to the house. Very few people want residences. They are afraid of them, and uneducated to them. We have had great success with the residences. If the state left it up to the localities, there would be none.

COUNCILMAN NOWICKI: Are there any on the southeast side of the river?

MR. FULLER: No. There are other agencies, but not ours. Other agencies have concentrated on this site. We do have a proposal in Churchville; we are hoping to open April 15.

COUNCILMAN RAMSEY: How long has West Avenue been open?

MR. FULLER: Since October, 1979.

COUNCILMAN NOWICKI: Is that enough time to say you have been very successful with this program?

MR. FULLER: I feel it is. It has been 6 months.

COUNCILMAN NOWICKI: What is your background and experience to qualify that statement?

MR. FULLER: I am the Executive Director of the overall agency. I have three years experience working with mental illness. I am an MDA.

MR. KELLY: May I ask a hypothetical question, if a resident of the home has a relapse and that, what would occur?

MR. FULLER: That happens. The staff is trained to react to that. They will very quickly go back to Rochester Psychiatric Hospital, in most cases.

MR. MILLER: Has this ever happened?

MR. FULLER: Certainly.

MR. MILLER: Will your staff members restrain or confine this person that has the relapse?

MR. FULLER: We have never had to use restraint. Our clients usually don't need restraint.

MR. MILLER: Before admission to one of the homes, they are screened by two psychiatrists?

MR. FULLER: One at the DePaul Center, at least, and other people.

MR. MILLER: Their own doctor, too?

MR. FULLER: A recommendation would not even be made, unless most people agreed.

COUNCILMAN NOWICKI: Your experience has only been 6 months for all this?

MR. FULLER: Other agencies in the Town have been dealing with community residences for over 20 years. They have been in the City of Rochester. It is even more critical due to the proximity of the people.

COUNCILMAN NOWICKI: Can you site other addresses?

MR. FULLER: In terms of a suburb, no.

COUNCILMAN NOWICKI: What are your terms and conditions with Jim LeChase?

MR. FULLER: We are leasing the land.

COUNCILMAN NOWICKI: He is leasing the land?

MR. FULLER: He has a purchase offer with a contingency. He will lease it back to DePaul for four years.

COUNCILMAN NOWICKI: What happens at the end of four years? Could we end up with a halfway house of some nature?

MR. FULLER: DePaul has no intention of moving out at the end of four years. If we did, hypothetically, you would have to review anything else going in there.

SUPERVISOR POWERS: Is it four years because this is a five year program?

MR. FULLER: No. That is the length of time Mr. LeChase wanted to get.

COUNCILMAN NOWICKI: You have no openings for renewal under the lease?

MR. FULLER: Not under the present lease.

SUPERVISOR POWERS: State aid goes by way of the board if this doesn't become a reality.. There is no municipal approval necessary?

MR. FULLER: If we don't open the home, DePaul does not get state aid.

COUNCILMAN NOWICKI: Do you get aid from the County?

MR. FULLER: No.

COUNCILMAN NOWICKI: If you didn't get state aid, would you still exist?

MR. FULLER: Yes.

COUNCILMAN NOWICKI: Would you be able to have these homes if you didn't get state aid?

MR. FULLER: No. This program is funded only by the state and matching subject monies.

SUPERVISOR POWERS: Mr. Nowicki asked for the names of the Community Advisory Board. Is that different than the Admission Board?

MR. FULLER: They are two different committees and boards. The Community Advisory Board is local people from the area. We have no such board now.

SUPERVISOR POWERS: Have you contacted anyone to sit on the Board?

MR. LITTLE: I have contacted the Presbyterian Church and the Mental Health Association here for names of people who they thought would be interested. The Board, itself, would determine the people. At least 5 people are needed, but no more than 13.

SUPERVISOR POWERS: Who makes that selection?

MR. FULLER: You could sit on it. We would be happy to have somebody like yourself.

COUNCILMAN PIQUET: You indicated earlier there were 7 bedrooms with 13 persons. How will that split be. Is it part of the therapy to put two together?

MR. FULLER: ~~XX~~ If they were going to move to an apartment, they would not be making enough money to live by themselves. This gives them skills in living with others.

COUNCILMAN PIQUET: The resident manager will have one bedroom?

MR. FULLER: Yes.

COUNCILMAN PIQUET: The resident manager is there Sunday through Thursday. Who are the parents for the remaining three days? What is the difference between those two types of individuals?

MR. FULLER: They have similar duties. The resident manager is overall responsible. The House Parents are weekend relief people.

COUNCILMAN PIQUET: These parents see to the status quo of the program or the Resident Manager plans the programs?

MR. FULLER: The resident manager plans the programs. The rest of the staff carrier them out.

COUNCILMAN PIQUET: The house parents are mainly there for supervision?

MR. FULLER: I think that is a fair statement. Typically, it is a single person, but a married couple would also be accepted. It would have to be someone with four years of background in working with mental illness.

COUNCILMAN CRIDDLE: If you have say 6 women and 6 men, it would be logical for the house parents to be a couple who can cope with any type of situation that may arise.

MR. FULLER: It could be a single person, also.

COUNCILMAN RAMSEY: You are the Executive Director of the entire clinic?

MR. FULLER: Right.

COUNCILMAN RAMSEY: You have no community resident manager for the Chili facility yet?

MR. FULLER: No.

COUNCILMAN RAMSEY: Would your other staff, besides the Chili resident manager, be picked?

MR. FULLER: The program aides work everyday and weekends.

COUNCILMAN RAMSEY: Is there a certain number always on duty?

MR. FULLER: Always one on duty. At least two on evenings and weekends.

COUNCILMAN RAMSEY: When one staff person say goes to the bank, there is always another in the house?

MR. FULLER: Right. There is always one staff person in the house.

COUNCILMAN RAMSEY: What is the situation with the clients in terms of leaving the premises?

MR. FULLER: They are free to come and go.

COUNCILMAN RAMSEY: Individually and in groups?

MR. FULLER: Yes.

COUNCILMAN RAMSEY: Unlimited?

MR. FULLER: It is very closely supervised. These are adults very capable of taking care of themselves. They just need some guidance. They are all 18 and above.

SUPERVISOR POWERS: You used a figure of 14 sometime earlier.

MR. FULLER: The law which covers residences of 4 to 14 people.

SUPERVISOR POWERS: What if it is over 14?

MR. FULLER: You would have to get a use permit or whatever the local law requires.

COUNCILMAN NOWICKI: Could you tell me how this got started? Who are the principal people?

MR. FULLER: Kathleen Charits, who hired a social worker who started doing "good deeds" in the community. In the 1930's, Kathleen founded the Catholic Family Center and in the 1950's, there became a need for a more concentrated dealing with children. In 1958, DePaul evolved as a Chili Guidance Clinic. Since then, it has evolved into a full range of mental health services.

COUNCILMAN RAMSEY: You started to talk about the need for a variance from the Zoning Ordinance. Do we have any control as a Town over this through the Zoning Board or ordinance, or is it just a matter of them coming in and presenting a case?

MR. MILLER: Our ordinance is more restrictive relating to the number of people. They would come to the Zoning Board to ask for a variance. I would say it is possible that the Zoning Board would either grant or deny it, or grant it with a limit or restrictions that as long as DePaul leases the facility, they would give them a variance. But, if they left, it would cease. If we turn them down, they will take us to Supreme Court on an Article 78 proceeding, and they would decide whether the State Mental Hygiene Law provides over us. In all likelihood, we would lose, but we still have the right to take it on to court. I think they will have to come into the Planning Board for Site Plan Approval. This is a large residence. This would not be a conditional use.

COUNCILMAN NOWICKI: What building codes would they come under?

MR. MILLER: I think they have to follow the New York State Building Code.

COUNCILMAN NOWICKI: Does this home have to be strictly sprinkled?

MR. FULLER: I think it falls under Part A of the Building Code. It does have a central smoke and fire detection system.

MR. MILLER: In this set of plans, do you have an outside fire escape?

MR. FULLER: They have been illegal under the Building Codes. It has one set of interior stairs and doesn't need additional stairs.

MR. MILLER: How many exits are there in the building?

MR. FULLER: Doors?

MR. MILLER: Yes.

MR. FULLER: I think two or three.

COUNCILMAN NOWICKI: Are these plans approved with the Albany Architects Office?

MR. FULLER: The final plans have been submitted, and we are waiting for approval.

MR. MILLER: How many vehicles would they keep on the premises?

MR. FULLER: The clients would not have vehicles. The house has a two-car garage, and the staff will park in the garage.

MR. MILLER: Does DePaul furnish a vehicle?

MR. FULLER: We have one van assigned to Graymar and one shared among other facilities.

MR. MILLER: The clients would not have their own vehicles?

MR. FULLER: That is right.

MR. MILLER: The staff will have the keys to these vehicles?

MR. FULLER: Right.

COUNCILMAN NOWICKI: Do you have any other proposals throughout the County in other towns?

MR. FULLER: We have Churchville. Two proposed in the City of Rochester, and an adolescent group home similar to this in the Town of Wheatland.

COUNCILMAN NOWICKI: Do you feel that if you have more of these in the community, you mentioned 200, people in New York could expect their taxes to be reduced?

MR. FULLER: The Commissioner of Mental Health is planning to close the State Psychiatric Hospital Centers. You will see taxes reduced.

COUNCILMAN CRIDDLE: I doubt that they will be reduced. They will use it someplace else.

SUPERVISOR POWERS: Because of your close ties with St. Mary's and the Counseling Center on Union Street, I notice we are talking about these because of the proximity to the Community Residence. Do you plan to do most of your locating within this section?

MR. FULLER: We probably won't be expanding this type of residence past what I have quoted you. In 1981, our plan calls for opening an apartment, probably in the City. That would be for two or three people to share and the apartment is one more step toward independence.

COUNCILMAN RAMSEY: I think the freedom of movement could be a thing of great concern. What type of controls will you have on when clients leave and come back?

MR. LYTLE: Most of the people are back around dark. Past dark, before 11 p.m.

COUNCILMAN RAMSEY: They could be out all day and night?

MR. LYTLE: Some of them have been. A lot of people we have spend weekends with their families. We know where they are and when they leave and where they are going. They inform us if they won't be home for dinner and give us an approximate time when they will be.

COUNCILMAN RAMSEY: Have you had cases where they have not returned on time?

MR. LYTLE: No we have not.

SUPERVISOR POWERS: Could you describe some mentally ill adults?

MR. FULLER: A nervous breakdown or psychiatric disorder because of an acute episode. Problems with your wife or job. People that are extremely emotionally disturbed and need to be hospitalized.

COUNCILMAN NOWICKI: That is a very brief description. I assume that the Board that reviews these people has strict criteria,

MR. FULLER: I am not a psychiatrist.

COUNCILMAN NOWICKI: Do they sign a release saying these people can go into these homes?

MR. FULLER: Right.

COUNCILMAN NOWICKI: Are we ever going to see this material?

MR. FULLER: That is confidential information. These people have rights, also.

COUNCILMAN NOWICKI: The People of Chili will never know what criteria is used?

MR. FULLER: On an individual basis, no. You have to respect the rights of the clients. They are human beings.

COUNCILMAN RAMSEY: What has been the turn over rate on West Avenue?

MR. LYTLE: 9 clients.

COUNCILMAN RAMSEY: Are the 9 original ones there?

MR. LYTLE: We have 5 of the original 9 there. Our program calls for their participation for at least a year. At that point, they move on.

COUNCILMAN RAMSEY: What happened to the 4 of the 9 that haven't been there a year?

MR. LYTLE: They weren't able to cope and were readmitted to Rochester Psychiatric Center.

COUNCILMAN NOWICKI: Any of these people have drug problems?

MR. LYTLE: No.

SUPERVISOR POWERS: They have medication of any kind?

MR. LYTLE: Most of the people are on some type of medication.

SUPERVISOR POWERS: Who handles the medication?

MR. LYTLE: It is locked up in the office. The cabinet is unlocked, they are handed their bottle, and they take it themselves, under supervision of the staff.

SUPERVISOR POWERS: These records are confidential but there could come a time for the to be brought into court.

MR. FULLER: Right.

COUNCILMAN NOWICKI: At the end of your 4 year lease period, what do you think that building could be used for?

MR. FULLER: I can't believe we would not be there. I am not doing this for only 4 years. More likely 20 years.

SUPERVISOR POWERS: What is the acceptance you have had in your present home?

MR. FULLER: Very good. If we had more staff time out there, we would use it more.

COUNCILMAN PIQUET: You may choose not to answer if you so desire, but have you had any complaints from the neighbors on West Avenue?

MR. FULLER: I haven't heard of one. In all Rochester, honestly, I was expecting a lot of problems. It has been well received by the community.

COUNCILMAN NOWICKI: Other than West Avenue, and the program here in the Town, how did you determine where to place this home in North Chili?

MR. FULLER: There is nothing in Chili. There was available land.

COUNCILMAN NOWICKI: There are none in Perinton, Webster or Greece?

MR. LITTLE: There are some in Greece.

MR. FULLER: The Chili Counseling Center, we have three others.

RICHARD WATERSTREET, 101 PARKWAY DRIVE: I live where this is going to be. There is a park in the area. We have a lot of high school kids in the park during the summer. They have no place to go and the park is there for them. You are going to build this residence right near this park. These people are going to be moving back and forth where these kids can see them. I am worried that there may be a problem between these kids and these people. There is no single family home in the area that is that large. 3,200 square feet. This place will be bigger than mine. When I go home, I will see this place. It is right at the end of the street. There are stores near by and one across the street and the fire house, too. You are not going to have any fire escapes. You are going to have 13 people and if someone goes to the store, who is going to get them? The police? If it is, you have only got one center in Rochester, right?

MR. FULLER: Right.

MR. WATERSTREET: If someone takes off in the City, who goes to get them?

MR. FULLER: You are confusing our clientele with the mentally retarded. Our home on West Avenue includes everyone. I challenge you to pick out the clients and the staff. These are functioning members.

MR. WATERSTREET: The house is on a corner. What is on the other side of the street? It could have nothing but industrial around it.

MR. FULLER: That is not true.

MR. WATERSTREET: If someone doesn't come back, who do you use to get them back?

SUPERVISOR POWERS: The same way we get back our youngsters, we would call the police.

MR. WATERSTREET: The Town of Chili hasn't got a police force. We only have a couple of cars in the area. The police cannot police the Town and have to look for people that run away from this home, if they don't come back in time.

SUPERVISOR POWERS: Mr. Fuller in part, responded to this. This would in all probability not happen with the people at this facility.

MR. WATERSTREET: I have a couple of articles in the Chili news here. It says the purpose of the home is to provide a home for mentally ill, disabled adults where they are to be trained in caring, washing, dressing, cleaning. If this is correct, you will have to teach these people everything.

MR. FULLER: That is a little far fetched. The people reviewed and referred to us in the Center do need more defined skills such as how to cook for themselves because they did live in hospitals where their cooking was prepared.

MR. WATERSTREET: This house is huge. It will stand out like a sore thumb. It is supposed to blend in with the community.

MR. FULLER: It was designed to fit long wise on the lot so looking at it from the street, it should not look big. Do you think it will be offensive to you?

MR. WATERSTREET: No. I am not worried about the house, but what is going to go inside. I am concerned about the neighborhood. I don't want my little girl to go down to the park where those kids are picking on other people.

MR. FULLER: I would invite you to come to see our West Avenue Home. If you could experience that, I think a lot of your fears would be put aside.

MR. WATERSTREET: How is this going to effect my investment in my home?

MR. FULLER: It is going to look like any other house. There is not a big sign out front saying DePaul Community residence. I can send you volumes of material stating property values do not decrease. The money is spent on fixing up many homes and actually increases the values.

COUNCILMAN NOWICKI: I would appreciate you sending those to the attention of the Town Supervisor.

MR. FULLER: Sure.

MR. WATERSTREET: If there is a fight, how would you stop it? You cannot police kids 24 hours a day.

MR. FULLER: It sounds to me as though you have a problem with the neighborhood kids.

MR. LYTLE: When my wife was first married to me, and I lived four blocks away from a home for mentally retarded, we never had any problems with the people and that was with me being a staff member. They never bothered us at all.

MR. KELLY: There is a provision in our outline regarding incidents.

MR. FULLER: State Law maintains we have provision for incidents as our clients do. The Board, by law, has to have provisions for handling an incident. A continual problem with kids.

MR. KELLY: This is subject to a Review Committee?

MR. FULLER: Yes. The board specifically includes a psychiatrist, a lawyer, and others.

SUPERVISOR POWERS: You meet once every 3 months?

MR. FULLER: Not exactly. If there is an incident, we meet on demand. The laws says we have to meet at least every three months.

MR. KELLY: Why is it that you didn't consider a commercial zone?

MR. FULLER: It is a single family residence.

MR. KELLY: It is larger than a one family residence.

MR. FULLER: How can you make a home like environment in a commercial zone?

MR. KELLY: You are saying you have not looked into a commercial zone at all?

MR. FULLER: That is right, but the state would not certify a home in a commercial zone. The intent is a residential home in a residential environment.

FRANK LENTINE, 1506 DAVIS ROAD: Why do you want a residents of the neighborhood to play doctor to make these people go into the mainstream?

MR. FULLER: We are asking for the environment.

MR. LENTINE: Why are you asking us to provide that environment? I moved into the country to get away from this. Are they dangerous?

MR. FULLER: They are not.

MR. LENTINE: What about Bianchi. Wasn't he a patient?

MR. FULLER: You are asking me to confuse the different programs.

MR. LENTINE: Was he mentally ill?

MR. FULLER: Yes.

MR. LENTINE: Is he the same mentally ill as are being put in Ghili?

MR. FULLER: He has violent tendencies that would have come out.

MR. LENTINE: I don't know what mentally ill means. Drugs, sexual problems? Why can't a DePaul patient be of the same condition? I think you have answered the question. On the various questions, it was up to the residents to sign that variance. Why is it the people don't have anything to say in the communities anymore?

MR. MILLER: That mental hygiene law is pretty strict. If we didn't accept this site, this Town Board must give them some alternative sites. Once an agency of this type has made up their mind to come into a town, nothing is going to keep them out. This has come down through your state legislature.

MR. LENTINE: The Town has no legal power on the variance and the building? 15 people in one home is not a residential home. You are saying you can build that building next to an empty lot on Davis Road?

MR. FULLER: I looked at two different lots in the Town. We felt we did not want them because of the size of the houses, so we picked this lot so it did not have to sit between two small homes.

MR. LENTINE: I still maintain we have no idea what type of patients you are bringing in here. These people have the right to come and go . . .

MR. FULLER: I would invite you and anyone else to meet with the clients on West Avenue.

MR. LENTINE: If these people are mentally ill and do have a problem, they can be dangerous and that to our kids. We don't want to see the one time it happens. I don't want to see it in North Chili.

MR. FULLER: There are 73 community residences in the Town of Chili. The majority have between 8 and 14 people.

MR. LENTINE: I would like to see a list of them.

SUPERVISOR POWERS: They are run by different agencies.

MR. LENTINE: Are they all mentally ill?

MR. FULLER: No. I can't give you a number.

MS. ROSE VANDERVEER, 10 PLEASANT VIEW DRIVE: I would like to ask these people what guarantee they have that anyone in their families would not have a mental illness? Won't they want their family to be given a chance?

MR. WATERSTREET: I am not against what the clinic does. He is giving round about answers. His attorney should be here in my opinion. He is going to get back to you, The Board, and not us, from my point of view.

MR. FULLER: What question do you want answered that I did not answer?

MR. WATERSTREET: I am not saying this can't happen to anyone in my family. These people have to be helped. It is a doctor's job. Who pays your psychiatrist?

MR. FULLER: The Community Chest and the County of Monroe.

MR. WATERSTREET: All it takes is once for someone to go bananas.

MR. FULLER: These people are so carefully screened. That would never happen. These people do not belong in the State Hospital.

MR. WATERSTREET: They are in between, then?

MR. FULLER: I appreciate your concerns.

MR. WATERSTREET: People can be cruel. You may be right to help them, and I am all for it, but I could have people say to me, "You live down by the goofy house." I get the feeling no matter what we say here, we are going to lose. The State will overrule. We are just going through the motions.

MR. MILLER: I somewhat agree with you. We do have a right to a public hearing, and it was the consensus that as long as we have the right to a hearing, we might as well make the Town people aware of it. If you were not made aware and then discovered

it six months from now, then you would really be shocked. It is, again, the decision of the State of New York. It is for the common good and under their powers. It is for the common good of the total residents of the State of New York. Unfortunately, this agency has selected this town. I don't think we will come out to the good if we challenge them in court, but we have that right.

COUNCILMAN NOWICKI: We do have control over the site?

MR. MILLER: Yes, as to how they build and the setbacks.

COUNCILMAN NOWICKI: This will go on the assessment roles?

MR. FULLER: Right, no exemptions.

MR. KELLY: Are you considering the provider of services in this instance?

MR. FULLER: Yes.

MR. KELLY: They have applied for a certificate to provide these services in the outline?

MR. FULLER: Yes.

MR. KELLY: It is my understanding the Commissioner could reduce the size of the services this has if he thought it viable.

MR. FULLER: Yes.

MR. KELLY: Did you have any plans for a home with less cliental?

MR. FULLER: West Avenue has nine. The home in Churchville has 22.

MR. KELLY: The size of the facility could certainly be reduced if the people in the facility were less in number. Have you considered this?

MR. FULLER: We considered it, but because of the cost of construction, there is not much difference in serving 11 or 13 people.

COUNCILMAN NOWICKI: Do you have actual prints written on the size?

MR. FULLER: Part 586 of the New York State Environmental Codes and Procedures. I will be happy to send that on to you with the other items. It governs the actual operation of the house.

MR. KELLY: These are set forth by the Department?

MR. FULLER: Right.

COUNCILMAN NOWICKI: Do they establish 13 in a house or recommend what you have, or should have looked for in a house?

MR. FULLER: No. It covers the number of square footage per person.

COUNCILMAN CRIDDLE: You mentioned the Mental Hygiene Law would supercede any definitions of our Town Ordinance.

MR. FULLER: That is true.

COUNCILMAN CRIDDLE: Site plan approval still must be done?

MR. FULLER: That is right. That is what our original request was for, Planning Board approval.

COUNCILMAN CRIDDLE: If you are operating under this section of the law, you need not appear before the Zoning Board?

MR. FULLER: That is right.

SUPERVISOR POWERS: Under the zoning, you are only allowed a building on a certain percentage of the land.

MR. FULLER: We have to comply with that. This house will meet any of that type of zoning regulation.

MR. KELLY: The only reason you are getting into this question of a one family residence is because in the Mental Hygiene Law, there is a section exception in section 41.35, subdivision 5%, "A community residence established per and to this section shall be deemed a family unit for the purpose of local laws and ordinances." There are several supplementary things from the Attorney, again stating you are bounded by that definition. It does put the Town in a very different position.

COUNCILMAN NOWICKI: Some of the concerns might be that this structure could conform more closely to Mr. Waterstreet's or my home so if we are stuck with this thing, it can be sold.

MR. KELLY: This is a factor that is within the consideration of the Commissioner and should be considered with the Town Board and in a proper light, be discussed with the DePaul Clinic, finances aside. They should be one part of the consideration, and the balance in the community is also important.

MR. FULLER: We do want to be harmonious in the community.

COUNCILMAN CRIDDLE: It seems to me, architecturally, something could be done to make it conform more with the community.

MR. FULLER: This is a subdivision of a large tract.

COUNCILMAN CRIDDLE: I was thinking of maybe two homes adjoining that could be supervised under the same agency, which would be more compact and compatible with the neighborhood visually and aesthetically. Then, if the program didn't work out, and it did fail, these houses would be more marketable than a 3,200 square foot home.

MR. FULLER: The problem is the fact that you are talking about double staff at each home. Plus, it is expensive to buy the land. I will explore this for it it a valid point.

MR. LENTINE: This is probably a second concern of everyone here. The primary concern is what type of people are going in. Families do have plenty of ill people, but if one goes bananas, wouldn't they like them to have a nice home. If a person is mentally ill, I would like not to have it happen, especially where there are children, in the area of my grounds. There would be places to help. I don't understand when you say they are "half way". Yet, you are telling us they are free to go out all day and all night. You are making them live in a community atmosphere.

MR. FULLER: In jobs, you go through a training program to learn. This is the same.

MR. LENTINE: There has got to be a sexual problem here between these people.

MR. FULLER: These are not children. We do want to know where they are.

MR. LENTINE: These are adults with a mental problem out in our Town.

MR. FULLER: Ten percent of the population has some type of mental problems. People cannot afford the life alone. The majority of them find it necessary to share an apartment. We want to make them familiar with going to the store to get groceries or going to the bank.

THE TOWN BOARD WAS ADJOURNED AT 9:50 P.M. AND RECONVENED AT 10:00 P.M. Roll call-- same as previously recorded.

TRUDY ROWE, 48 GATEWAY ROAD: These people do not come with a guarantee. How many of you asked for a guarantee on your neighbors when you moved into your neighborhood? I didn't get one when I moved here. I didn't ask for one on my neighbors. Nobody can give one. A lot of us don't know our neighbors as well as we think. A lot of people are "normal" but really are not so normal. No one knows about the mother who abuses her child down the street. The vandals who tear up our lawns and destroy our mailboxes are supposedly normal. I worry about the young children who get beat up by other people. I worry about my home, which gets broken into not by the mentally ill person, but by a child whose parents can't cope with him. These people have more of a guarantee than most of our neighbors. They have been screened and have been under supervision. Who is to say the people down the street aren't going to go berserk because of their job? You people are all here because you care. These people are being sent here by doctors who understand mental illness. They do know and are caring people. They are not attempting to send us dangerous people. You have children, and I share your worry, but our children can be our best help. They can have a great capacity for helping people. Maybe I am oversimplifying, and I am not too good with words. Chili is a very

good community. It has been shot down in many places. Here is a place where I can be heard. Chili can say, "Yes, we welcome you.", and I would like Chili to say that. Not to say we are stuck with it, but be a first to welcome this. We can help, and we do care. It is only commercial zoning that is responsible for the people around you. I don't think it will be any less beautiful if we have 13 individuals who need a little bit of help. Even a teenager who has had everything provided for them who goes off to college has to learn how to deal with managing money. I think we have room for them here and enough love for them.

MR. WATERSTREET: I would be in favor of having that there as long as it is only as big as the biggest house in the same area. I don't want some great big house there. Make it the same scale as the houses in the area. I am not against helping anyone. Why can't you buy 10 houses in the city? They welcome you fixing them up, and you even increase their property values when you do?

MR. FULLER: We purchased a house at an auction, but the cost to remodel that is substantial. We have done that.

MR. WATERSTREET: Why can't we have a happy medium. 7 people instead of 13. The people in the community will be happier. You are going to go some place else anyway. They are going to be all over anyhow.

DONALD COOP, 3331 UNION STREET: I have 4,000 square feet, and I live about 3 minutes from there. I welcome this group. We have to have faith in the psychiatrists in the places they go to. My major concern would be if and when you decide to leave this facility, what could be done with it? What type of group would be able to use this type of design? What would come in after?

JEROME BRIXNER, 14 HARDOM ROAD: Are these persons in institutions prior to this?

MR. FULLER: Extended periods of time.

MR. BRIXNER: If they had violent tendencies, that would prohibit that type of person from coming into that residence?

MR. FULLER: Yes.

MARSHA LYTTLE: I have worked in mental health for eight years. I have never felt any danger around these people. I have been well respected with these people. They are very normal. I have had my 18 month daughter at this house. The biggest thing they want is acceptance by people. This is the one thing they lose while being put in the institution. I feel we have to start somewhere placing these people. The mentally ill could be a woman with a post partum depression, or a person who just can't cope with separation or any type of thing. I feel these people need to be given a chance. The fear is more of not knowing. I have been around these people, and I don't have that fear anymore.

MEETING ADJOURNED.

cc:

Town Clerk, Carol A. O'Connor

dai

T O W N B O A R D  
MARCH 19, 1980

A Meeting of the Town Board, Town of Chili, was held on March 19, 1980, at 8:00 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikueta, Councilman Nowicki, Councilman Criddle, Supervisor Powers

ALSO PRESENT: Mrs. O'Connor, Town Clerk; Mr. Kelly, Town Atty.; Mr. Chudyk, Supt. of Hwys.; Mr. Bergmann, Town Eng.

Corres. #82 Memo dated March 5, 1980, to Supervisors of Monroe County Towns from Robert L. Fitch, Dir. of Transportation, Co. of Monroe, re: 1980-81 Agreement for Machinery Rental and Provision of necessary manpower.

#53 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Supervisor Powers be authorized to sign the 1980-81 Agreement for Machinery Rental, etc., with the County of Monroe. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #83 Copy of letter dated March 10, 1980, to Mark H. Fuller, Exec. Dir., DePaul Mental Health Services, from C. Richard Orndoff, Dir., Bureau of Alternative Living, N. Y. S. Office of Mental Health, advising that Ms. Cecile Davis, Reg. Dir. of Western N. Y., has been appointed as Hearing Officer for the hearing regarding the community residence in the Town of Chili.

Corres. #84 Letter from Chili Fire Dept., to Carol O'Connor, re: additions to active list.

#54 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that upon the recommendation of the Chili Fire Dept., Inc., the following names be added to the list of active volunteers:

David Skelly, 61 Dauton Dr., Rochester, 14624

Ronald D. Hagberg, 166 Meadow Farms North, N. Chili, 14514

AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail, be so notified. Seconded by Councilman Pikueta. Carried Unanimously.

Corres. #85 Letter from Chili Fire Dept., Inc., to Carol O'Connor, re: change in active list.

#55 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Chili Fire Dept., Inc., that Mitchell Wells, 18 Brewster Lane, Rochester, 14624, be removed from the list of active volunteers AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail, be so notified. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #86 Minutes of Special Meeting of Chili Library Board of Trustees held December 26, 1979, submitted.

Corres. #87 Minutes of Regular Meeting of Chili Library Board of Trustees held on January 30, 1980, submitted.

Corres. #88 Minutes of Chili Recreation & Youth Comm. meeting held February 13, 1980, submitted.

Corres. #89 Minutes of Chili Conservation Board meeting held February 27, 1980, submitted.

Corres. #90 Letter dated March 13, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., re: additional information regarding late delivery of abrasive spreader purchased from Walter M. Roberts Enterprises, Inc. and asking the Board's pleasure.

Corres. #91 Letter dated March 14, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., requesting public hearing for opening of bids for asphalt paver.

## #56 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be held on April 16, 1980, at 8:30 P.M. to open bids for the purchase of an asphalt paver for the Highway Dept. Seconded by Councilman Pikuet. Carried Unanimously.

- Corres. #92 Letter dated March 18, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., requesting addition to Town Highway Garage (Phase 2.)
- Corres. #93 Letter dated March 18, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., re: information regarding funds allocated to the Town of Chili from the NYS Transportation Bond indicating that instructions, etc., will come from the County as soon as the data is received by them, but preliminary data shows the Town would receive approximately \$47,557 from the State to be matched by \$15,852 of Town monies.
- Corres. #94 Letter dated March 18, 1980, to Supervisor James Powers from Erdman, Anthony, Assoc., re: repairs to new garage addition roof recommending that a contract be awarded to W. J. Grinder Roofing Co., Inc. for \$3,790.00.

## #57 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Supervisor Powers be authorized to sign a contract with W. J. Grinder Roofing Co., Inc., to perform repairs to the roof of the Highway Garage to include: reflashing of the vent pipe, at a price of \$3,790.00, AND BE IT FURTHER RESOLVED that the Contractor shall be required to provide the Town of Chili with a Certificate of Insurance for liability and Workers' Compensation together with a Hold Harmless Clause prior to commencement of the work. Seconded by Councilman Nowicki. Carried Unanimously.

- Corres. #95 Letter dated March 18, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., re: acceptance of bid for dump truck.

## #58 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that upon the recommendation of Stephen A. Chudyk, Supt. of Hwys., the bid submitted by Genesee Ford Truck Sales, Inc., for a Ford Model LTS9000 ten-wheel dump truck with Frink plow, wing, and hydraulics, per specifications bid on March 5, 1980, at a bid price of \$66,800.00 without trade-in, be accepted. Seconded by Councilman Nowicki. Carried Unanimously.

- Corres. #96 Letter dated March 18, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., re: Highway School.

## #59 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Stephen A. Chudyk, Supt. of Hwys., be authorized to attend the annual Highway School at Cornell University from June 1 - 4, 1980, expenses to be paid by voucher as incurred. Seconded by Councilman Ramsey. Carried Unanimously.

TOWN BOARD was adjourned at 8:30 P.M. to a public hearing and reconvened at 9:30 P.M. ROLL CALL--same as previously recorded.

TOWN BOARD RECESSED at 9:30 P.M. and Reconvened at 9:40 P.M. Roll Call--same as previously recorded.

TOWN BOARD ADJOURNED at 9:40 P.M. to Public Hearing and Reconvened at 9:49 P.M. ROLL CALL--Same as previously recorded.

- Corres. #97 Letter dated March 18, 1980, to Chili Town Board from Stephen A. Chudyk, Supt. of Hwys., re: storage facility for road salt.
- Corres. #98 Letter dated March 19, 1980, to Chili Town Board from Scott E. Carpenter, Town Assessor, re: title/salary upgrading for Mrs. DeRoller from clerk typist to Assistant to the Assessor at a salary of \$11,000 per year.

## #60 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Scott E. Carpenter, Assessor, appear before the Town Board at the meeting of April 2, 1980, to discuss the upgrading of Mrs. DeRoller from Clerk typist to Assistant to the Assessor at a salary of \$11,000 per year. Seconded by Supervisor Powers. Carried Unanimously.

- Corres. #99 Letter dated September 19, 1980, from Erdman Anthony, Assoc., recommending road dedication for Spring Valley Sec. 4.

## #61 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the road dedication for Spring Valley, Section 4, be accepted based on the recommendation of the Town Engineer and pending receipt of proper filing of easements with the Town. Seconded by Councilman Ramsey. Carried Unanimously.

## #62 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that \$5,000 be transferred from 7310.4 to 1620.4 to cover maintenance and repair to Recreation Buildings as allocated in their budget. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #100 Letter dated March 19, 1980, to Chili Town Board from Stephen A. Chudyk, Supt. of Hwys., requesting that he be reimbursed for added work load which requires overtime hours.

Corres. #101 Letter dated March 19, 1980, to Chili Town Board, from Stephen A. Chudyk, Supt. of Hwys., requesting funding for approved SOS program for Old Scottsville-Chili Road at an estimated cost of \$30,000.00.

Corres. #102 Letter dated March 17, 1980, to Carol O'Connor, from John W. Kyle, 37 Hitree Lane, expressing objections to Mr. Gomes application.

## #63 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol A. O'Connor, be approved and bills ordered paid as rendered:

|                                  |             |
|----------------------------------|-------------|
| General Fund Vo. Nos. 228 - 273  | \$11,270.90 |
| Highway Fund Vo. Nos. 153 - 185  | 9,220.71    |
| Hillary Drainage Dist. Vo. No. 5 | 43.12       |

Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #103 Request for funds from Stephen A. Chudyk, Supt. of Hwys., for \$700 for a 12 inch post hole digger for Highway Dept.

## #64 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the Supt. of Hwys., Stephen A. Chudyk, be authorized to purchase a post hole digger for the Highway Dept. for use with the present tractors as an attachment at a cost not to exceed \$700. Seconded by Councilman Ramsey. Carried Unanimously.

## #65 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Resolution 605, of December 28, 1979, appointing Betty Bartok as Vice Chairman of the Planning Board be removed from the table. Seconded by Supervisor Powers. Carried Unanimously.

## #66 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Betty Bartok be appointed Vice Chairman of the Planning Board of the Town of Chili, for the year 1980. Seconded by Councilman Nowicki. Carried Unanimously

## #67 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that A Public Hearing be held on April 2, 1980, at 8:30 P.M. to open bids for Davis Park Improvements, Phase 1B. Seconded by Councilman Pikuet. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikuet, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, no.

## #68 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Resolution No. 17, of January 16, 1980, be rescinded and revoked. Seconded by Councilman Criddle. Carried Unanimously.

## #69 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that a representative of Earth Dimensions be authorized to be present during the County Testing of the landfill site no. 5, and shall examine the soil samples obtained and report back to the Town Board for a cost not to exceed \$240.00. Seconded by Councilman Ramsey. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikuet, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, no.

## #70 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that there be established an Advisory Committee called the Chili Capital Development Advisory Committee, which committee shall consist of seven citizens of the Town. The Town Board shall appoint the members of the committee and shall designate one member to serve as Chairman. The committee shall investigate the capitol needs and future development of the Town Hall facility, the Library facility and the Town Highway Facility. Said committee shall report its recommendations and suggestions to the Town Board within six months of the date of its inception, or sooner, if practical. This committee shall continue until terminated by Town Board resolution. This resolution is adopted under the authority of Sec. 51(5) of the Town Law. Seconded by Councilman Nowicki. Carried Unanimously.

SUPERVISOR POWERS said MR. HOWARTH wants Board approval to put a sign in Hubbard Park. The Board felt he should apply to the Building Dept. for application to the Zoning Board. SUPERVISOR POWERS talked to MR. NAGLE about three different things-- the Chestnut Ridge Road bids open tomorrow, the proposal to cut back the recreation field, and also the legislation to get out of ridiculous law suits we are named in.

IT was decided that Erdman Anthony, Assoc., is to bill the Town for services rendered on a monthly basis, \$1,000 each month, regardless of actual monies owed.

COUNCILMAN RAMSEY noted a need for "No Loitering" signs at the Community Center. SUPERVISOR POWERS felt it won't do much good, but he will check into the signs.

COUNCILMAN NOWICKI asked about the data on Wadsworth Road case. MR. CHUDYK said nothing yet. There are no maps here in the Town.

Meeting adjourned at 12:00 P.M.

Town Clerk, Carol A. O'Connor

dai

P U B L I C H E A R I N G  
MARCH 19, 1980

A Public Hearing was held by the Town Board, Town of Chili, on March 19, 1980, at 8:30 P.M. on the appeal of the Planning Board Decision on the application of Joe Gomes to operate a real estate office in his home. The hearing was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624, and was called to order by Supervisor Powers.

ROLL CALL: SAME AS PREVIOUSLY RECORDED.

The hearing was duly advertised in the Gates Chili News per the Town Clerk, Carol O'Connor.

JAMES HENDRICKS, ATTY.: I would like to submit copies of his application. The issue here is that Joe purchased this property in Bright Oaks. It is a lovely home situated on the corner. He is a licensed real estate broker and pursuant to the Town Ordinance, he made application for a conditional use permit. As I have set forth in the papers to the council, he met all the requirements of your ordinance. He was not using more than 25 percent of the space in his home, he is using only 12 percent, approximately. It is a one-man operation with a brother-in-law who is a part-time salesman. Mr. Gomes has only been in the profession a little over a year. There is little activity that occurs in his home. When he had his home in Gates, he had an office there, and there was little business done there. Real estate is conducted by showing a home. He has to display a sign, per section 441, subsection C, of the Real Property Law. This requires a real estate broker to display a sign at the place of his business office. In this particular case, it is in his home. The sign is only 1 foot by 2 feet. He is willing to display this sign as long as it is consistent with the State of New York. He is willing to accommodate any requests. It is not a neon sign or brightly lit. It is required by the laws of the State and not gaudy or anything like that. This is a profession for him and his livelihood, and it is one that can be maintained in a home. It was the opinion of the Deputy Town Attorney at the hearing that he had met all the requirements, and it was up to the Planning Board whether or not to grant this. Mr. Gomes spoke himself at that hearing, and we were pretty surprised at how the neighborhood opposed this. We have tried to accommodate some of the neighborhood concerns. The first point, after the sign, is that Mr. Gomes will not be the first person in Bright Oaks area operating a business out of his home. I have attached with those papers, copies of the Directory for Rochester in 1978. As far back as 1978, there were people maintaining and listing in public directories the fact that they maintained a business out of their home. There is a contractor, an insurance agent, and it is not that Mr. Gomes is invading this virgin residential property. As I noted in those papers, Mr. Fry said this would be the opening wedge to allow this to happen. That is not the fact. The various residents that objected to the hearing admitted there were other businesses in the area. With respect to the traffic, there simply will not be that much, in all, as a result of this. He has agreed and has asked the council to give him a chance. He is a husband, and a father, with responsibilities and bills to pay. Give him a chance with conditions, say six months. He set forth in the conditions the number of cars in the driveway and the activity that will arise. Allow him and his neighbors to come back in six months to say if he does not meet those conditions. He is not trying to offend, insult, or argue with his neighbors. He has bought a lovely home here because his wife fell in love with it. He is concerned and aware of property values and how different activities can effect an area. He will maintain the character of the neighborhood and his livelihood. Just give him a chance. He will not do anything to adversely effect the Chili community. He is simply exercising a right. He is trying to recognize the neighbors' concerns and proposes and hopes they will try to recognize his.

SUPERVISOR POWERS: Did Mr. Gomes, in his application to the Planning Board, request the sign be located outside the house on the grounds? Can it be placed in the window?

MR. HENDRICKS: The State Law requires the sign must be visible to the sidewalk. Mr. Gomes' house is setback kiddi-corner on an angle facing the corner. He has a number of trees there and is subject to inspection for the sign from the Department of State. If they cannot see the sign from the sidewalk, his license could be in jeopardy. We would be willing to modify the size of the sign. He wants to be as cooperative as possible. It is my opinion the sign attached to the house or in the window will not be the state requirement. It can be attached to the mailbox or something. The purpose of the sign is not to bring in customers, just to identify he is a licensed realtor.

COUNCILMAN NOWICKI: Does this supercede our existing Zoning Ordinance?

MR. HENDRICKS: The law says the licensed real estate broker has to have a sign.

COUNCILMAN NOWICKI: That doesn't tell me it supercedes the existing sign ordinance.

MR. HENDRICKS: He could go out of business if he has to maintain an office. I don't believe the State is saying you have to grant a sign over and above the sign ordinance, if we grant him nothing.

COUNCILMAN CRIDDLE: We have had this sign ordinance conflict many times before. It makes us the "bad guys". I would question this State Law. You are telling me that Mr. Gomes can't operate out of his home if he doesn't have that sign?

MR. HENDRICKS: The law says, one requirement for a licensed real estate broker is where ever his business office is, he must have a sign identifying his business, except in a commercial building, he must have a sign visible to the sidewalk. The state license is a matter of right to Mr. Gomes. The state requires certain things.

SUPERVISOR POWERS: Is he presently operating this business elsewhere?

MR. HENDRICKS: No. He is pretty well floundering, presently.

COUNCILMAN CRIDDLE: You said this sign is not to attract business?

MR. HENDRICKS: He does not need the sign to attract business. Only because it is a state requirement. If the state didn't require it, he wouldn't have it.

COUNCILMAN NOWICKI: The state law does not require him to have a business in a residential area.

MR. HENDRICKS: He had a home in Gates. He was doing business from his home. His wife fell in love with the house; this is the first home he ever bought.

COUNCILMAN CRIDDLE: I have gone through the directory listing other businesses and there are about six of them. How many have signs prominently displayed?

MR. HENDRICKS: As far as I know, none of them have signs.

SUPERVISOR POWERS: What is the name of the brother-in-law?

MR. HENDRICKS: James Meyer.

MR. GOMES: He does not have a real estate license. He is just an associate.

SUPERVISOR POWERS: How long have you been in the real estate business?

MR. GOMES: About one year, on my own.

SUPERVISOR POWERS: Where did you operate your business?

MR. GOMES: In the Town of Gates.

SUPERVISOR POWERS: They allowed you to operate a business?

MR. GOMES: I did not get any opposition from the neighbors, so I did not have to go through this.

SUPERVISOR POWERS: Did you have a sign?

MR. GOMES: Yes I did.

COUNCILMAN NOWICKI: Where were you located?

MR. GOMES: Hinchey Road.

COUNCILMAN PIKUET: Will you add any additional sales people to assist you?

MR. GOMES: No I won't.

COUNCILMAN PIKUET: How could you expect to make a worthwhile living with just yourself and your own brokerage?

MR. GOMES: It is not easy, but can be done.

COUNCILMAN PIKUET: I drove by your place today. It has one of the shortest driveways in the subdivision. I fail to see how you, with two cars, could even have one additional client park in your driveway. Any additional cars would indeed, probably have to park in the street. I don't foresee how you can have clients come to your house with the minimal amount of parking space there.

MR. GOMES: I believe there is parking space for four to five cars. I will never use that. Both of our cars are parked in the garage. We might get one car a week, at most.

COUNCILMAN RAMSEY: You stated there would never be more than one car with clients at anyone time. How can you control that? Will you be advertising?

MR. GOMES: I will not be advertising. Most of my business is through referrals. Most of my time is spent at clients' houses and showing houses. I just like to have a desk there and a phone.

COUNCILMAN RAMSEY: What would happen if a second car showed up at your house?

MR. GOMES: I don't believe that would happen, but it is possible.

COUNCILMAN NOWICKI: What would be the penalty for not having the sign?

MR. GOMES: I could lose my license.

SUPERVISOR POWERS: Are you aware of the similarity between the Town of Chili ordinance and the Town of Gates?

MR. HENDRICKS: I am not.

COUNCILMAN PIQUET: Mrs. Stefonic, Mr. Miller asked at the Planning Board Hearing, if you had a traffic restriction on your deed. Did you check into this?

MRS. STEFONIC: We did not check into that, and there is no traffic restriction, as such, in the deeds. We were told when we built there it would be residential and that is what it is zoned.

MR. KELLY: I am investigating that. Most of the large subdivisions did include traffic restrictions, the bulk of which seems to indicate no commercial type developments allowed. Without checking further, I can't answer that.

MR. HENDRICKS: My examinations of the title showed that the only restrictions were a map, which indicated a 60 foot minimum front setback line. When I examined the title, I found no other restrictions.

MR. KELLY: When did you buy this property?

MR. HENDRICKS: December of 1979. I don't have an exact date.

MR. ROBERT NEWMAN, 23 BRIGHT OAKS DRIVE: There was a petition submitted from the neighbors in the area against this. It listed several reasons: it would set a precedent to other business to operate businesses in the area, operation of such business would lower the property values of the existing homes, it would generate additional traffic into the residential tract, parking on the Bright Oaks Drive would restrict traffic flow on the street and create a hazardous condition since Bright Oaks Drive is a through street, increased traffic egress and ingress from Chili Avenue, at an already dangerous curve on Chili Avenue, would further compound traffic hazards, it would detract from picturesqueness of the neighborhood. I would like to submit a copy to this Board. One of the neighbors, who signed the petition, was unable to be here tonight. He went out and got another petition stating opposition to the use variance. I will submit that for the minutes, also.

COUNCILMAN NOWICKI: How many names are on there?

MR. NEWMAN: 26 on the second petition and 40 on the original. On the advise of council, we did not push a second petition. We urged the people in the neighborhood on the petition to come here tonight and express their feelings.

SUPERVISOR POWERS: Mr. Newman is presently sitting on the Zoning Board?

MR. NEWMAN: Yes, Zoning Board of Appeals.

SUPERVISOR POWERS: Should anything come out of this, Mr. Newman has prejudiced his vote should it get to the Zoning Board.

MS. SALLY CONWAY, 65 BRIGHT OAKS DRIVE: Being a realtor, I find it hard to believe that Mr. Gomes could not know the Zoning Ordinance. Yet, he moved into this house in a residential area. Mr. Gomes did not refer to the last half of the real estate brokers license code regarding the sign--which states that a real estate broker is not exempt from displaying a sign because he is located in a district restricting business occupancy. If he is, the broker must move his business to a district that is set for commercial use. In that

respect, I would think Mr. Gomes has some alternative in mind. I feel, at the Planning Board meeting, it was stated the dentist down the street would like his business in his home. What then are you going to do with any other self-employed business in the area? Are you going to turn them down and discriminate? He can have his sign, but you cannot because your business doesn't require it! This could have an effect on the Town of Chili. When he has clients that come to him and want to have a business in their home, he can prove it is easy in Chili. This decision can effect the Town of Chili. Mr. Gomes, this is not a personal attack against you or Mrs. Gomes. We welcome you into the neighborhood. It is your business with the sign we cannot accept.

CHRIS DOWD: We are new to the community, also. We moved to the Bright Oaks area because it was a quiet, residential, traffic free neighborhood. We would like to see this remain.

LARRY CONWAY, 65 BRIGHT OAKS DRIVE: These people have been turned down once by the Planning Board. Earlier this evening, they tried to play on the sympathy of the Town. I have resentment. They have been turned down once, and they are here again, and I feel they are pulling a "cheap shot" on the Town of Chili.

SUPERVISOR POWERS: Under the Zoning Ordinance, there is an appeal process. They are using it. There may be an occasion where you or I might need to use it. He is offered this under the ordinance; I don't think it is a "cheap shot". They are taking this step by step.

JACK CURTIN, 49 RED BUD ROAD: I sold homes for Caldwell & Cook. There were tract restrictions, and I told them it was a single family residential area, and you could not conduct any business in the homes, when I sold the houses there.

COUNCILMAN CRIDDLE: Where do those appear?

MR. CURTIN: I am not sure. I could find some from Caldwell & Cook at their business.

MARY BURKE, 68 BRIGHT OAKS DRIVE: Jack Curtin and his wife have been residents since year one of Bright Oaks. He became a resident there. Both of them are in the real estate business. It would have been very convenient for them to run the business and take care of their home, but they go to Greece to do business. I feel very close to them, and they have done things the way it is supposed to be done. We appreciate that and understand that. This young man, if he could have sold property in Gates, and do it without even asking, I don't know why he ever moved to Chili.

CHARLOTTE SMITH, 43 HITREE LANE: What is the sign ordinance?

MR. KELLY: There is a severe limitation in the Town. That is one of the main objections. The Board would not allow a sign. I am not sure the reason for the real property law. It is so an inspector can clearly observe and there is a legitimate place of business I am not sure of the serious requirements.

BOB BREWER, 12 BRIGHT OAKS DR.: There is a nice view down Bright Oaks, and I don't like the idea of having this spoiled by a sign. The tract should remain residential. Anyone who buys a home and then tries to make a business out of it has this backwards. They should make sure they can do this before they jump into anything. I feel sorry for him, but that doesn't alter the fact that this is a residential area.

ED VINEAL: I moved to Red Bud over three years ago and a real estate salesman told me there is no commercial activity here. That is the reason you are paying the extra cost. I paid the extra money, and I think I am paying the extra taxes. Are we talking about one business or two businesses? I understand the yellow pages describes this to be an insurance and real estate business.

MR. GOMES: I am a licensed insurance broker, but I am not operating out of my home.

MR. VINEAL: You said you weren't going to advertise a little while ago. No advertisements. No cars.

MR. GOMES: Well, OK.

MR. VINEAL: Now we are talking about the insurance business.

SUPERVISOR POWERS: I think the question is whether or not we will allow a business within his home, period. He will have or not have a business. It is up to this Board to decide.

BETTY BOLDT: Our name is not on the petition, and we would object to this business.

DICK MASER, 61 BRIGHT OAKS DRIVE: Did you say he could not operate a business or put a sign up?

SUPERVISOR POWERS: If this Board decided no, I wouldn't advise him to do so.

MR. MASER: What about those listed as already operating businesses?

SUPERVISOR POWERS: Maybe we should scrutinize the whole neighborhood.

MR. MASER: Several years back, you denied a conditional use for an insurance business.

SUPERVISOR POWERS: Right. They have since moved.

JOHN HANNAN, 11 BRIGHT OAKS DRIVE: It is a beautiful neighborhood that for that alone it should be preserved. Between Mr. Gomes, who is near Chili Avenue, there are 10 children up to 12 years old and any increase in traffic should be avoided.

ROBERT HUDAK, 29 BRIGHT OAKD DR.: May I ask my name be applied to the petition against the application.

SUPERVISOR POWERS: You are now on record to that effect.

MR. HUDAK: I would like to make one further statement. The sign is not the basic matter, here. The basic matter, I think, is one of precedent. Mr. Hendricks indicated precedent was set by the other businesses. That is precisely the reason we are here. We do not want to aggravate that or add to it. The logical thing would be to permit a succeeding application and a succeeding one after that. The logical conclusion is to rezone into a commercial area. That is the ultimate result. The basic question here is the present and future character of the neighborhood. If that means a retrogression by the Board, then that should be done.

ROBERT DIMENO, 5 BRIGHT OAKS DR.: I would like to reiterate my neighbors complaints. Especially because of the number of small children we have around there. There are 13, not 10, and they are all over.

FRANK RYAN, 19 RED BUD RD.: I would like to go on record against the application.

FRED STAPLER, 43 RED BUD RD.: We have enjoyed 16 years on Red Bud. It is a pleasure. Hopefully, it will stay that way.

JOHN KYLE, HITREE LANE: I did write a personal letter.

SUPERVISOR POWERS: It is here, and I am going to enter it into the record.

BETTY WICK: I would like to go on record. Let's keep the area the way it has been.

RAY ARBOR, 46 RED BUD RD.: I would strongly recommend the application be turned down because so many of us have invested so much money to be in a residential neighborhood. We do not believe this is a matter of negotiations. We believe this is our right. To maintain what we have. We do not have any desire to give it away. I would ask the Town Board continue doing what it is for the benefit of the Town. Changing a residential area to a business area, we all realize, is not for that benefit.

JEROME BRICKNER, 14 HARDOM RD.: I introduced essentially the same information at the Planning Board meeting. Speaking in opposition to this application. I believe this is a beautiful place. By using a phone book, I have counted 15 real estate offices within 3.1 miles, on both sides, of where the proposal is. There are others in other areas the applicant could find to carry on his business and meet with the acceptance of the neighbors. There are areas along Chili Avenue.

MR. HENDRICKS: There are only two points I have. What I got out of the Planning Board hearing and from the people tonight is there is a major objection to the sign. If we could get around this, there may not be such opposition as this. The opposition to Joe Gomes having a business with no sign, a two or six month use. The activity simply is not going to be there. Anyone who knows real estate knows this is not what happens. I wonder what people think. Because Joe Gomes complied with the ordinance, everyone is out objecting against him, but there appears to be a number of people listed as running commercial businesses out of their homes. All anyone would know, if he didn't have a sign would be he would be listed as having a real estate office in his home. I would represent there is going to be in no way any increased traffic activity or hazard from him operating this out of his home. If we could get away without posting it, we would. We do not know what we can do in light of the statute. I don't know whether these other people have a conditional use permit or not. I don't know.

SUPERVISOR POWERS: We will investigate this, and I think the sign is a main concern. I think, basically, the objection is that the residents don't wish to see an opening of the door to any further, in their particular area, to any kind of business in what they consider a residential area.

The hearing was adjourned at 9:30 P.M.

Town Clerk  
Carol A. O'Connor

dai

P U B L I C H E A R I N G  
MARCH 19, 1980

A Public Hearing was held by the Town Board, Town of Chili, on March 19, 1980, at 9:40 P.M. to open bids for the library and town hall roof repairs. The hearing was called to order at 9:40 P.M. by Supervisor Powers in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624.

ROLL CALL: SAME AS PREVIOUSLY RECORDED.

BID NUMBER 1

William C. McCombs Builders, Inc.  
3315 Chili Avenue  
Rochester, New York 14624

\$12,980 on 240 weight  
\$ 3,187 for 290 weight

SUPERVISOR POWERS: Can we accept only one bid?

MR. KELLY: I don't see why not.

SUPERVISOR POWERS: How many plans were taken out?

MRS. O'CONNOR: Four of them.

COUNCILMAN NOWICKI: Mr. Bergmann, what was your estimate for the job?

MR. BERGMANN: \$12,000--\$14,000. I haven't heard anyone complain they did not have time.

MR. KELLY: Can the Engineer make inquiries why the other three didn't bid?

MR. BERGMANN: We can. We will inquire. It may be interesting to find out why.

The Hearing was adjourned at 9:46 P.M.

Town Clerk,  
Carol A. O'Connor

*Carol A. O'Connor*

dai

T O W N B O A R D  
APRIL 2, 1980

A Meeting of the Town Board, Town of Chili, was held on April 2, 1980, at 8:00 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The meeting was called to order by Deputy Town Supervisor Claire Montgomery.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Nowicki, Councilman Criddle, Deputy Supervisor Montgomery.

ALSO PRESENT: Mrs. O'Connor, Town Clerk; Mr. Kelly, Town Atty.; Mr. Chudyk, Supt. of Hwys.; Mr. Bergmann, Town Eng.; Mr. Vail, Sr., Ins. Counselor.

MR. DONALD FASO, 134 HILLARY HEIGHTS asked Mr. Kelly about the petition for permissive referendum on the abolishment of the drainage districts. What is the exact number of signatures required to make this legal? MR. KELLY: 10 percent of those qualified to vote at the general election held. It was 10,000 and some odd, so something over 1,000 would be required. MR. FASO asked how can a challenge be enacted against this? MR. KELLY said the Town will evaluate the petition. If there are any objections, a citizen can make them available to the Supervisor or Town Clerk and direct any questions or correspondence regarding the legality of the petition, they should make them known. MR. FASO asked what would invalidate a petition? MR. KELLY: The person is not qualified to vote, or the signature in, in fact, illegal and invalid--perhaps the husband signed wife's name or that. Signatures in pencil are valid. MR. FASO asked what about misrepresentation on the part of the carrier? MR. KELLY said if it is signed on the petition, it is there. The only way you can do naything about that is if the person reputes his signature after the fact.

MR. SCOTT CARPENTER, TOWN ASSESSOR: Regarding my memo concerning the upgrading of the one member of my staff, the creation of Assistant to the Assessor for the Town of Chili, I wish to bring to your attention the research I did is from six towns I felt were closely comparable to the Town of Chili in size. They do use this position. I would like to see if we could create this title and then discuss on the person for this title.

MR. KELLY: Is there a civil service category? MR. CARPENTER: Yes. It is newly created. There is no list at the present time. All appointments are provisional. Each town is to develop their own specifications for the position. We have developed our own.

COUNCILMAN PIKUETT: You indicated this morning there was a matter of some urgency to meet the deadline of the civil service? MR. CARPENTER: I have known the civil service meeting is set for April 10. Any proposals from the Town should be submitted no later than April 8.

COUNCILMAN RAMSEY: Is this because of additional duties in your office here that are not in the other towns? MR. CARPENTER: There are additional duties here that are not in the specifications of other towns. I feel some of these are necessary for ourselves.

COUNCILMAN RAMSEY: The deadline is so we will have input into the civil service definition? What happens if we don't meet the deadline? MR. CARPENTER: We will have lost a couple of months, that is all. Eventually, they have to establish a job specification. We can make additions or deletions. MRS. MONTGOMERY said when the civil service meets, they will review this and then next month, there is another meeting. COUNCILMAN NOWICKI asked if we must file a particular need for this position. MR. CARPENTER: Yes. COUNCILMAN RAMSEY: There will not be a need in your department for a second additional secretary? MR. CARPENTER: Absolutely not. This will keep quality personnel in there. We can handle this quite nicely with the two of us. COUNCILMAN CRIDDLE: Is this up to the determination of the Towns--they may, or may not, have one? MR. CARPENTER: Right.

DONALD FASO asked what is the time frame on the referendum? MR. KELLY said if the petition is valid as filed, it is necessary to set an election, here at the Town Hall to vote on this proposition. This would be worked into the next 30 to 60 days. A challenge has to be done fairly promptly. Challenges should be addressed to the Town Board.

Corres. #104 Letter dated March 19, 1980, to Carol O'Connor, Clerk, from David C. Powell, Regional Traffic Eng., NYSDOT, re: File 26:13, Study 4793417, enclosing orders regarding stop signs on Town Roads intersecting State Highways.

Corres. #105 Letter dated March 21, 1980, to Supervisor James Powers from Retired Senior Volunteer Program regarding May as Senior Citizen's Month and suggesting that the Town Board hold a reception for the senior citizens of the community.

#71 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that May, 1980, be designated as Senior Citizen's Month. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #106 Letter dated March 21, 1980, to Supervisor James Powers, from Francis E. Drake, Jr., Chairman of the Board, Rochester Gas & Electric Corp., enclosing a copy of report on nuclear safety in the State of New York.

Corres. #107 Letter dated March 21, 1980, to Honorable James J. Powers, Supervisor, from James F. Nagle, State Assemblyman, indicating he is opposed to proposals to cut State Revenue Sharing, his support of the continuation of the Donovan Plan, and that he feels the Legislature will attempt to further delay the time requirements regarding full value assessment.

Corres. #108 Letter dated March 25, 1980, to Honorable James J. Powers, Supervisor, from James F. Nagle, State Assemblyman, regarding awarding of bid for replacement of Chestnut Ridge Road bridge to R. C. Siebert, Inc., and scheduled for completion August 31, 1981.

Corres. #109 Letter dated March 28, 1980, to Supervisor James Powers, Town of Chili, from Charles A. King, Field Representative, Genesee State Park and Recreation Region, re: Davis Park, Phase 1B, advising that the plans and specifications have been approved pending modification of gravel roads and walkways to assure use by the handicapped.

Corres. #110 Letter dated March 25, 1980, to Supervisor James Powers, from Jack H. Parsons, Jr., Erdman Anthony Assoc., re: reroofing the Chili Town Hall & Library; recommending awarding of contract to W. C. M. Builders and acceptance of Alternative No. A-1.

#72 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the bid for the Chili Town Hall and Library Roof work be awarded to William C. McCombs, Inc., for an amount not to exceed \$16,167.00, and for engineering fees not to exceed \$2,000.00. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #111 Memo dated March 27, 1980, to Supervisor Powers and Chili Town Board Members from Carol O'Connor, Town Clerk, re: postage.

#73 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$1,000.00 to RMRS System for additional postage for the postal meter. Seconded by Councilman Pikueta. Unanimously approved.

The Town Board was adjourned at 8:30 P.M. to a Public Hearing to open bids for Phase 1B of Davis Park. The Town Board Reconvened at 8:50 P.M. Roll call--same as previously recorded.

Corres. #112 Memo dated March 27, 1980, to Town Board, Town of Chili, from David E. Robbins, Chairman, Chili Conservation Board, requesting permission for two members to attend a conference on Environmental Law.

#74 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that James Coates and Richard Schickler be authorized to attend a conference on Environmental Law to be held at the Center for Environmental Information on four Mondays, April 21 to May 12, 1980, AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$150.00 to cover their registration fee. Seconded by Councilman Nowicki. Carried Unanimously.

## #75 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the Town Board, Town of Chili, uphold the decision of the Planning Board of the Town of Chili in the matter of a conditional use permit for Joe Gomez of 15 Bright Oaks Drive to run a real estate office in his home, which was denied by the Planning Board. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #113 Letter dated April 1, 1980, to Chili Town Board, from Scott E. Carpenter, Assessor, re: request to create position of Assistant to the Assessor.

## #76 RESOLUTION OFFERED BY DEPUTY SUPERVISOR MONTGOMERY

RESOLVED that a New Position Duties Statement (CS/P-55-222) be prepared and submitted to the Monroe County Civil Service Commission requesting the creation of the position of Assistant to the Assessor for the Town of Chili. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #114 Request for Funds, dated April 1, 1980, submitted by Stephen A. Chudyk, Supt. of Hwys., re: purchase of a fleet lock fuel dispensing system for diesel and gasoline pumps at an estimated cost of \$5,000.00.

Corres. #115 Letter dated April 1, 1980, to Supervisor James Powers, and Town Board Members, from J. Norman Vail, Insurance Counselor, recommending that certain pieces of equipment valued at less than \$400 be removed from the Insurance Policy.

## #77 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Insurance Counselor, the pieces of equipment valued at less than \$400.00 as listed in his letter dated April 1, 1980, be removed from the insurance policy. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #116 Letter dated April 1, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: position of Mechanic I and II be changed to General Mechanic per recommendation of Civil Service Commission.

## #78 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Monroe County Civil Service Commission, the positions of Mechanic I and II be abolished and the position of General Mechanic be created. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #117 Memo dated April 2, 1980, to Chili Town Board from Supervisor Powers, re: transfer of funds.

## #79 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that \$240.00 be transferred from General Contingent Fund to Environmental Control Contractual 8090.A. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #118 Request for Funds dated April 2, 1980, from Stephen A. Chudyk, Supt. of Hwys., re: purchase of a ventilating system after enclosing rest of openings of sand blasting and painting booth in Town Garage at estimated cost of \$5,000.00.

Corres. #119 Request for Funds dated April 2, 1980, from Stephen A. Chudyk, Supt. of Hwys., re: purchase of road sweeping broom attachment for tractor at an estimated cost of \$10,000.00.

Corres. #120 Memo to Chili Town Board from Supervisor Powers, re: request from R. C. Siebert, Co., Inc., to place a construction trailer in Davis Park during work on the Chestnut Ridge Road bridge and requesting the Town Attorney and Insurance Counselor check into the matter.

Corres. #121 Petition submitted by Robert Bean with regard to dissolution of drainage districts containing 1,514 signatures in opposition to the matter, filed in the Town Clerk's office April 2, 1980.

## #80 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol A. O'Connor, be approved and bills ordered paid as rendered:

General Fund Vo. Nos. 274-421      \$11,915.45  
Seconded by Councilman Ramsey. Carried Unanimously.

DEPUTY SUPERVISOR MONTGOMERY said SUPERVISOR POWERS looked into the "no loitering" signs and could not find any. MR. KELLY said a sign on private property could be enforced by the Director of the facilities. It is very difficult to make a confrontation with an individual, and it is very difficult to show "loitering". The signs in the entrance ways would be most effective, then perhaps within the building periodically. MR. KELLY will provide the Board with some wording for these type signs.

COUNCILMAN CRIDDLE spoke to SUPERVISOR POWERS regarding the amendments to the Zoning Ordinance. A meeting was set up for April 21, 1980, in Supervisor Power's office for this.

COUNCILMAN RAMSEY brought the letter from the Recreation regarding the lights on Memorial Park fields. The Commission motion was that all games must be over by 11:15 P.M. and the lights off at that time.

JEROME BRIKNER, 14 HARDOM ROAD: Commended Mr. Bergmann and his engineering staff for their work and the Councilmen's in expediting the Davis Park bidding.

Meeting adjourned at 10:15 P.M.

Town Clerk  
Carol A. O'Connor

dai

P U B L I C H E A R I N G  
A P R I L 2 , 1 9 8 0

A Public Hearing to open bids for the Davis Park Phase 1B improvements was held by the Town Board, Town of Chili, at 8:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The hearing was called to order by Deputy Supervisor Montgomery.

The hearing was duly advertised in the Democrat & Chronicle on March 24, 1980.

ROLL CALL--same as previously recorded.

BID NUMBER 1

Donick Enterprises, Inc., 673 Lexington Avenue., Rochester, NY, 14613  
\$74,500 Base Bid  
14 for Alternate 1 - per cubic yard  
4,500 for Alternate 2  
3,800 for Alternate 3  
3,500 for Alternate 4

BID NUMBER 2

T-5 Enterprises, 22 Turner Drive, Spencerport, New York, 14559  
\$54,000 Base Bid  
13.50 for Alternate 1 - per cubic yard  
3,500 for Alternate 2  
6,500 for Alternate 3  
5,000 for Alternate 4 . NOTE: ADDENDUM #1 acknowledged 3-28-80

BID NUMBER 3

Schreiber Hauling Co., & S/H Construction Corp.--Joint Venture, 100 Burkhardt Drive, Depew, New York, 14043  
\$87,448 Base Bid  
11,248 for Alternate 1  
8,742 for Alternate 2  
9,423 for Alternate 3  
2,540 for Alternate 4 . NOTE: ADDENDUM #1 acknowledged 3-28-80

BID NUMBER 4

Keeler Construction Co., Inc., West Lee Road, Albion, New York, 14411  
\$273,000 Base Bid  
16 for Alternate 1 - per cubic yard  
8,850 for Alternate 2  
8,550 for Alternate 3  
5,750 for Alternate 4 . NOTE: ADDENDUM #1 acknowledgement--word "NONE"

BID NUMBER 5

V. A. Builders, 3891 West Main Road, Batavia, New York, 14020  
\$129,990 Base Bid  
16.50 for Alternate 1 - per cubic yard  
35,000 for Alternate 2  
27,000 for Alternate 3  
7,000 for Alternate 4 . NOTE: ADDENDUM #1 acknowledged 3-28-80

BID NUMBER 6

Macedon Landscaping, Inc., P. O. Box 208, Macedon, New York, 14502  
\$75,690 Base Bid  
11.25 for Alternate 1 - per cubic yard  
13,257 for Alternate 2  
13,275 for Alternate 3  
6,200 for Alternate 4 . NOTE: ADDENDUM #1 acknowledged 3-28-80

BID NUMBER 7

Townline Equipment & Paving Corp., P. O. Box 2789, Rochester, NY, 14626  
\$192,300 Base Bid  
16.62 for Alternate 1 - per cubic yard  
10,121 for Alternate 2  
10,500 for Alternate 3  
5,804 for Alternate 4 . NOTE: ADDENDUM #1 acknowledged 3-28-80

Hearing closed at 8:50 P.M.

Town Clerk, Carol A. O'Connor

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T O W N B O A R D  
APRIL 16, 1980

A Meeting of the Town Board, Town of Chili, was held on April 16, 1980, at 8:00 p.m. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikueta, Councilman Criddle, Councilman Nowicki, Supervisor Powers

ALSO PRESENT: Mrs. O'Connor, Town Clerk; Mr. Kelly, Town Atty.; Mr. Chudyk, Supt. of Hws.; Mr. Bergmann, Town Eng.; Mr. Vail, Sr., Ins. Counselor.

The Minutes of the Town Board Meeting held March 5, 1980, were amended and approved as amended.

The Minutes of the Town Board Meeting held March 14, 1980, were accepted as submitted.

MR. RONALD FODGE, CHAIRMAN OF THE RECREATION COMMISSION: Over the last four to five years, we have attempted to provide a full time secretarial position in our office to carry out the necessary work load. Because we had a transition from part-time to temporary hourly basis, I feel I can afford to allow Mrs. Murphy to take off time for the meetings that she spends over and above her daily work load. I think when one sets up a salary basis, included in that salary is let's say, a meeting work load. Joyce (Mrs. Murphy) is now on an hourly basis. Meetings are putting in time at the Town Hall. She should be on a salary basis. When she has to come to a meeting, over and above her routine, the \$17 the Commission is asking is not much.

COUNCILMAN CRIDDLE: Is she working full time? MR. FODGE: Yes. When asked by Councilman Criddle about charges that Mrs. Murphy was not there full time, MR. FODGE replied he is giving her compensatory time off for meetings she has attended. Her hours daily are 8:30 A.M. to 3:30 P.M. SUPERVISOR POWERS: Is she there at 8:30 a.m. everyday? MR. FODGE: Very close to that. It might not be exactly, but it is very close. COUNCILMAN NOWICKI: Do you approve of her taking compensatory time off? MR. FODGE: Yes, I thought it was only fair. COUNCILMAN CRIDDLE: You have been able to get along without her being there, why can't we put this on a compensatory time basis. On one hand you say you have to have her there, and on the other hand, you say she has to go to the bowling league, and you are able to get along. How many meetings do you have which require her presence? MR. FODGE: Normally once a month. COUNCILMAN CRIDDLE: About 3 hours a meeting? MR. FODGE: Normally, four hours a night. COUNCILMAN CRIDDLE: Is this a hardship on you? MR. FODGE: No, it wouldn't be. SUPERVISOR POWERS: Has she ever took off on Fridays? MR. FODGE: She has done alot of night work. Like collecting fees and supervising roller skating. She has done things over and above. I can't answer if she took any Fridays off since February. SUPERVISOR POWERS suggested the Board read the Recreation Minutes that come in.

#81 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Resolution No. 45, of March 5, 1980, meeting be removed from the Table. Seconded by Councilman Criddle. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikueta, no; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, no.

#82 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED THAT resolution No. 45, of March 5, 1980, be amended to show \$17.00 be paid to Mrs. Murphy for meetings attended as Secretary to the Recreation Commission over and above her 35 hour work week and BE IT FURTHER RESOLVED that the liason, Councilman Ramsey, report back to the Town Board in one month. Seconded by Councilman Pikueta. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikueta, aye; Councilman Nowicki, no; Councilman Criddle, aye; Supervisor Powers, no.

#83 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Resolution 45, of March 5, 1980, meeting plus the amendment passed in Resolution #82 of this Vpril 16, 1980, meeting be approved. Seconded by Councilman Pikueta. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikueta, aye; Councilman Nowicki, no; Councilman Criddle, aye; Supervisor Powers, no.

Corres. #122 Letter dated March 28, 1980, to Supervisor James J. Powers, from Robert L. Fitch, Dir. of Transportation, County of Monroe, re: Chestnut Ridge Road (#76736) attaching a map pertaining to the abandonment of a portion of said road and advising that they expect approval from the County Legislature and State Commissioner of Transportation within the next several weeks.

Corres. #123 Copy of letter dated April 2, 1980, to James Perna, from Raymer Ottman, Director of Engineering and Construction, Monroe County Water Authority, re: Renaissance Estates Sub., Town of Chili, advising that it will be necessary to replace services questioned in letter of June 18, 1979, or obtain releases from affected homeowners, and if this is not done, service will not be provided to lots 13 and 14 in said subdivision.

Corres. #124 Letter to Carol O'Connor, Town Clerk, from Chili Fire Dept., Inc., re: change in active list.

#84 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Chili Fire Dept., Inc., the following names be added to the list of active volunteers:

Kenneth Walworth, 184 Autumn Chapel Way, Rochester, 14624

Michael Read, 140A Powers Lane, Rochester, 14624

AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail, be so notified of these additions. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #125 Copy of letter dated February 15, 1980, to Town Board, from Stephen A. Chudyk, Supt. of Hwys., re: replacement values of various pieces of equipment for insurance purposes.

#85 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that upon the recommendation of the Superintendent of Highways, Stephen A. Chudyk, that replacement values on various pieces of equipment as listed in his letter of February 15, 1980, be adopted for insurance purposes, AND BE IT FURTHER RESOLVED that the Insurance Counselor be authorized to make the appropriate changes in coverage. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #126 Letter dated April 10, 1980, to Town Board, from Stephen A. Chudyk, Supt. of Hwys., re: request to attend meeting.

#86 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Stephen A. Chudyk, Supt. of Hwys., be authorized to attend the annual New York State Association of Town Highway Superintendents meeting to be held at Swan Lake, New York, on September 23-26, 1980. Seconded by Councilman Pikueta. Carried Unanimously.

Corres. #127 Letter dated April 10, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: public hearing for asphalt paver and requesting that it be rescheduled.

#87 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be held on May 21, 1980, at 8:30 P.M. for the purpose of opening bids for the purchase of an asphalt paver for the Highway Department. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #128 Letter dated April 14, 1980, to Supervisor Powers, Chili Town Board, from Justices Pelkey and Borzilleri, recommending a salary increase for Marilyn Sabol, Court Clerk, to \$500.00 for the year 1980.

#88 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that upon the recommendation of the Town Justices, the salary of Marilyn Sabol, Court Clerk, be increased from \$7,500 to \$8,000 for the year 1980. Seconded by Councilman Nowicki. Carried by the following vote: Councilman Ramsey, no; Councilman Pikueta, no; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, aye.

Corres. #129 Copy of Letter dated January 14, 1980, to Pride Mark Homes, Inc., from Robert Hunter, Chairman, Chili Planning Board, advising that they have approved the Woodbriar Estates Subdivision.

#89 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that a Public Hearing be held on the establishment of the Drainage District for the Woodbriar Estates Subdivision on May 7, 1980, at 9:00 P.M. Seconded by Councilman Criddle. Carried Unanimously.

#90 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a Letter of Credit be established on the Woodbriar Estates in the amount of \$12,482.25 per the recommendation of the Town Engineer. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #130 Letter dated April 14, 1980, to Chili Town Board from Councilman Pikueta proposing a resolution as follows:

#91 RESOLUTION OFFERED BY COUNCILMAN PIKUETA

RESOLVED that the Town of Chili is opposed to the renaming of Monroe County to Rochester County and that the Supervisor is hereby authorized to direct correspondence to the Monroe County Legislature advising of this decision. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #131 Letter dated April 15, 1980, to James J. Powers, Chili Town Board, from Jerome F. Brixner, Chairman, Chili Recreation & Youth Commission, re: refund of fee.

#92 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Supervisor be authorized to issue a check for \$5.00 to Nick Miano, 31 Westway, which represents fee paid for Boys' Floor Hockey Program, which he was unable to attend. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #132 Letter dated April 15, 1980, to Town Board, from Stephen A. Chudyk, Supt. of Hwys., requesting an additional \$15,000 from Item #3 Equipment Personal Services Budget.

Corres. #133 Letter dated April 15, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: establishment of equipment rates for rental of equipment to fire, school, or special districts at the same rate used for the State and County.

#93 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the resignation of Anthony Lucarelli as Groundsman for the Recreation Department and as Community Center Director, effective March 21, 1980, be accepted. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #134 Letter from Recreation & Youth Commission, re: filling of vacancy for Community Center Director.

#94 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that JoAnn Prichard be appointed a Seasonal Recreation Director for the Recreation & Youth Commission, effective May 1, 1980, at an annual salary of \$6,930.00. Seconded by Councilman Criddle. Carried Unanimously.

#95 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that JoAnn Prichard be appointed as part-time groundsman for the Recreation & Youth Commission, at an annual salary of \$4,070.00, effective May 1, 1980. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #135 Letter dated April 9, 1980, to Supervisor Powers, from Erdman Anthony Assoc., re: review of bids for Davis Park, Phase 1B and their recommendation.

#96 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that as per the recommendation of the Town Engineer, Erdman Anthony Assoc., that the bid for \$80,475 from T-5 Enterprises, Inc. be accepted for the Davis Park Improvements, Phase 1B. Seconded by Councilman Pikueta. Carried Unanimously.

Corres. #136 Memo dated April 16, 1980, to Town Board from Supervisor Powers, re: Cobblestone School.

#97 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Supervisor be authorized to sign a contract with Wehle Heating for the installation of a heating system in the Cobblestone School at a cost of \$450.00 AND BE IT FURTHER RESOLVED that Mr. Wehle provide certificates of Insurance and a Hold Harmless Clause for the Town of Chili. Seconded by Councilman Criddle. Carried Unanimously.

#98 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the following abstracts, as prepared by the Town Clerk, Carol A. O'Connor, be approved and bills ordered paid as rednered:

|   |             |
|---|-------------|
| General Fund Vo. Nos. 423-485 (#422 Void) | \$17,371.95 |
| Highway Fund Vo. Nos. 186-256             | 31,340.95   |
| Comb. Drain. Dist. Vo. Nos. 1-3           | 47.20       |
| Revenue Sharing Vo. No. 2                 | 1,082.00    |

Seconded by Councilman Criddle. Carried Unanimously.

#99 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Gertrude Huff be appointed as part-time clerk/typist for the Town of Chili for 1980 and that she be paid the hourly rate of \$4.10. Seconded by Councilman Criddle. Carried Unanimously.

#100 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that a General Election be held on May 7, 1980, at 11 a.m. to 7 p.m. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624, to vote on the abolishment of the Drainage Districts AND BE IT FURTHER RESOLVED that the Town Clerk be authorized to publish notice of said election. Seconded by Councilman Nowicki. Carried Unanimously.

#101 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Supervisor be authorized to get two voting machines and the Town Clerk be authorized to contact election inspectors, 4 for each machine, for the General Election of May 7, 1980, for the same salary as paid for the Primary Elections. Seconded by Councilman Criddle. Carried Unanimously.

COUNCILMAN PIKUET mentioned Parkminister wants a sign or a light at the peak on the hill of the road. SUPERVISOR POWERS said a signal light will be installed and there should be no problem once the light goes in.

COUNCILMAN CRIDDLE brought up the sign Earthborne Builders is requesting in the Town Park at the entrance to their subdivision. SUPERVISOR POWERS said he is hesitant to put anything in the right of way, and he could put the sign on the south side if he really wanted to, and it would be visible.

#102 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Earthborn Builders be allowed a temporary subdivision sign on the Southeast corner of Parkway in the Town right of way as long as said sign is in conformance with the Town Zoning Ordinance. This permit can be revoked at anytime by the Town Board AND BE IT FURTHER RESOLVED that the placement of the sign shall be (along with the type of sign) under the direction of the Town Building Inspector and the Town Superintendent of Highways AND BE IT FURTHER RESOLVED that a Hold Harmless Clause be provided to the Town. Seconded by Councilman Nowicki. Carried Unanimously.

MR. KELLY advised the Board the County is abandoning Chestnut Ridge Road and will not provide the Town with a QUIT CLAIM DEED. The Town should be assured the County will still have an interest in the Road and the entire Chestnut Ridge Road is supposed to be given to the Town eventually. Some clarification on their letter should be had and the County Legislature should be made aware of this.

MR. BERGMANN mentioned the Seibert Construction Corp. use of land.

#103 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

WHEREAS, SEIBERT CONSTRUCTION CORPORATION desires to make temporary use of the traingular shaped parcel of land approximately 8,000 S.F., at the Southeast corner of Chestnut Ridge Road and Oliver Drive entrance to Davis Park, as shown on the attached map, for the purpose of storing construction office trailers for the Chestnut Ridge Road Bridge replacement project, being constructed under the direction of the New York State Department of Transportation;

AND WHEREAS, THE TOWN OF CHILI wishes to facilitate an early completion of the bridge project, without jeopardizing use of the park;

THE TOWN OF CHILI does AUTHORIZE SEIBERT CONSTRUCTION CORPORATION to make use of the subject parcel for the period of bridge construction, such use to begin as early as April 24, 1980, and to be discontinued no later than December 31, 1981, with no reimbursement to THE TOWN OF CHILI:

SEIBERT CONSTRUCTION CORPORATION agrees to the following: The site shall be used only for a maximum of three construction office trailers; all materials and equipment to be stored inside; area to be fenced; Public access is to be provided at a-1 times to the Park in the existing drive or on a temporary drive of a comparable condition (unpaved) during reconstruction of the entrance. Upon completion of use of the site, the subject parcel will be graded with necessary fill to drain to the south, seeded, and landscaped as shown on the attached plan per TOWN direction. Proper insurance shall be provided to protect THE TOWN from any liability in connection with the use of this parcel or construction of the subject bridge and that a formal Hold Harmless Agreement be provided to the Town together with an appropriate insurance endorsement. Use of the premises shall be with the approval of the Building Superintendent and under his ongoing supervision. This permit may be revoked at any time by the THE TOWN. Seconded by Supervisor Powers. Carried Unanimously.

JEROME BRIKNER, 14 HARDON ROAD: I think you were a might hasty on this. I don't have any reason, but I would like to bring it to the Recreation Commission's attention. MR. BERGMANN asked MR. FODGE and he had no objections to it. MR. BRIKNER then felt this was ok.

WILLIAM WILCOX, STUART ROAD: Is there a Town Ordinance on signs? SUPERVISOR POWERS: Yes. MR. WILCOX: Complained about an insurance sign about 4' x 8' on private property on 33A on the west side of the road near Black Creek.

MS. PAGLIUCO appeared again in objection to King Arthur Realty and the Wilson Farm Market light that shines on her until late in the evening. The Board will check into it.

Meeting adjourned at 10:45 P.M.

Town Clerk  
Carol A. O'Connor

dai

T O W N B O A R D  
MAY 7, 1980

A Meeting of the Town Board, Town of Chili, was held on May 7, 1980, at 8:00 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Criddle, Councilman Nowicki, Supervisor Powers

ALSO PRESENT: Mrs. O'Connor, Town Clerk; Mr. Kelly, Town Atty.; Mr. Chudyk, Supt. of Hwys.; Mr. Bergmann, Town Eng.; Mr. Vail, Sr., Ins. Counselor.

The Minutes of the Town Board Meeting held March 19, 1980, and April 2, 1980, were amended and approved as amended.

MR. STEVE PAIKO, MORGAN ROAD: My wife wrote a letter sometime ago about the neighbor on the corner. I came here before, two months ago, and asked the Board if they would inquire into this. He has moved the junk back, but it is still all there, in one pile. He has not moved anything out. COUNCILMAN NOWICKI: What is stored in the front yard? MR. PAIKO: A trailer to move equipment with on to the truck. He has that parked next to the road. He has got an old truck. You name it, he's got it. He has an old truck, a mowing machine, and I don't know what else. If he is going to have a commercial lot over there, I might as well, too, because I am retired and have lots of time to do this. SUPERVISOR POWERS: We will have Mr. Connolly (Bldg. Inspector) look into this.

MRS. PAGLIUCO, 2970 CHILI AVENUE: asked MR. BERGMANN about the ditch they were supposed to work on at King Arthur's. MR. BERGMANN said he has been talked to at least three times, but to his knowledge, he has not done anything. MRS. PAGLIUCO said they made another ditch, and all the water is coming into her yard. MR. BERGMANN will have Bill take a look at it. MRS. PAGLIUCO said the water is just standing there on Chestnut Ridge. Am I supposed to take that stink this summer, too? What about that light? THE COUNCILMEN agreed the light did not appear bothersome. It is there to light the parking area and to eliminate vandalism. It was in the plans when the Planning Approved it. COUNCILMAN CRIDDLE asked if the light was going off on time. MRS. PAGLIUCO said that has been alright. It has been going off about 12:30 P.M.

Corres. #138 Letter from Mike Snyder, 437 Bromley Road, Churchville, New York, requesting permission for the St. Christopher Race 1980.

Corres. #139 Letter dated April 16, 1980, to Supervisor James Powers from Cliff Charbonneau, Commander, Chili Legion Post 1830, re: parade to be held June 14, 1980.

#104 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Chili American Legion Post 1830 be authorized to conduct a parade on Chili Avenue from St. Pius X Church to Company 1 Fire House on June 14, 1980, AND BE IT FURTHER RESOLVED that they shall be required to provide the Town of Chili with a certificate of insurance providing \$1,000,000 in liability coverage and naming the Town of Chili as additional insured. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #140 Copy of resolution regarding increasing the fees paid to Towns and Villages for various services rendered in relation to criminal actions and proceedings.

#105 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

WHEREAS Town and Village courts hear and determine cases involving violations of state law, and

WHEREAS fines and penalties collected by such courts are paid to the state in recognition of the fact that such violations are state offenses, and

WHEREAS in recognition of the services provided by such local courts, the State of New York has provided in Section 99-1 of the General Municipal Law that Towns and Villages shall be reimbursed for services rendered in such cases in the amount of \$5.00 per case, and

WHEREAS the amount of \$5.00 was originally set forth in the Code of Criminal Procedure, section 740-a, by Chapter 737 of the Laws of 1939, and has remained unchanged for the past 41 years, and

WHEREAS the per case costs of the operation of local courts have increased substantially since 1939 while no increase in reimbursement by the state to local governments for court services has been granted, and

WHEREAS the net result is that the burden of the said additional cost of administrating this state operation is borne by taxation of local real property rather than by general taxation,

NOW, THEREFORE, BE IT RESOLVED that this body does hereby strongly urge the Legislature and the Governor to act favorably on pending legislation, which would increase the amount returned to towns and villages to \$15.00 instead of the present inadequate \$5.00 limit as set by the present provisions of law (Senate 2397-A; Assembly 10900), and be it further

RESOLVED that a copy of this resolution be forthwith forwarded to the Hon. Hugh L. Carey, Governor; Hon. Warren M. Anderson, President Pro Tem of the Senate; Hon. Manfred Ohrenstein, Senate Minority Leader; Hon. Stanley Fink, Speaker of the Assembly; Hon. Daniel B. Walsh, Assembly Majority Leader; Hon. James L. Emery, Assembly Minority Leader; Hon. Jess J. Present, Chmn., Senate Committee on Local Government; Hon. James W. McCabe, Chmn., Assembly Committee on Local Governments; and to the local State Senator and Assemblyman servicing this area.

Seconded by Councilman Ramsey. Carried Unanimously.

#106 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Chili American Legion Post No. 1830 be authorized to use the Highway Department's flat bed truck for their parade to be held on June 14, 1980. Seconded by Councilman Pikuat. Carried Unanimously.

Corres. #140 Letter dated April 21, 1980, to Supervisor Powers from Robert Lucas, Adjutant, Chili American Legion Post 1830, re: Memorial Day Parade and Inviting the elected officials of the Town to participate.

#107 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Chili American Legion Post 1830 be authorized to hold a Memorial Day Parade on May 26, 1980, to begin at Chili Avenue and Grenell Drive at 9:00 a.m. and proceed to the Town Hall, AND BE IT FURTHER RESOLVED that the State Police, Sheriff's Department, Fire Department and Highway Department be so notified. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #141 Copy of letter dated April 22, 1980, to Town of Chili from James E. Kokot, Engineering Manager, Monroe Co. Water Authority, re: Mitchell Acres, Sec. III, advising that they will enter into an agreement to provide service for said subdivision.

Corres. #142 Letter dated April 22, 1980, to Supervisor James Powers from D. C. Powell, Reg. Traffic Eng., N.Y.S.D.O.T., re: Files: 26.13-33A, Study 4795307; 26.13-33A, Study 4795308; 26.13-359, Study 4795309, advising that they have determined that warning lights are not necessary at the three firehouses although they will install Fire House Ahead warning signs. He further advises that the traffic signal for Chili-Pixley roads is on their design schedule and that the investigation of Chili Avenue and Chestnut Ridge is not yet complete although a large arrow sign will be erected.

Corres. #143 Letter dated April 23, 1980, to Town Clerk, Town of Chili, from Mrs. Rose Van Hartman in support of a property maintenance ordinance for the Town.

Corres. #144 Designation of Restricted Highway from N.Y.S.D.O.T. regarding reconstruction of Chestnut Ridge Road bridge.

- Corres. #145 Minutes of Regular Meeting, Chili Library Board of Trustees, held February 29, 1980, submitted.
- Corres. #146 Minutes of Regular Meeting, Chili Library Board of Trustees, held March 22, 1980, submitted.
- Corres. #147 Minutes of Chili Conservation Board meeting held March 26, 1980, submitted.
- Corres. #148 Chili Dog Control Report submitted for March, 1980.
- Corres. #149 Chili Dog Control Report submitted for April, 1980.
- Corres. #150 Letter dated April 14, 1980, received April 22, 1980, to James J. Powers, Chili Town Board, from Jerome F. Brixner, Chairman, Recreation & Youth Comm., requesting a salary change from \$6.00 to \$8.00 per hour for Linda Bowser, Christine Dysart, and Rocco Aiello.

#108 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the following resolution be tabled until more information is available:

RESOLVED that upon the recommendation of the Recreation and Youth Commission, the salaries of Linda Bowser, Christine Dysart and Rocco Aiello be increased from \$6.00 to \$8.00 per hour, effective May 17, 1980 (PR#12). Seconded by Councilman Pikueta. Carried Unanimously.

- Corres. #151 Letter dated April 16, 1980, to Town Board from Stephen A. Chudyk, Supt. of Highways, requesting reconsideration of the request for a ventilating system for the paint booth and attaching a petition from Highway Employees indicating they will not perform such work for health and safety reasons until proper ventilation is installed.
- Corres. #152 Copy of letter dated April 21, 1980, to Ms. Gail Smith from R. E. Connolly, Bldg. Inspector, advising that the use of a mobile home for living purposes at 283 Beaver Road is in violation of the Zoning Ordinance and recommending that she apply to the Town Board for this use on an emergency basis. Further, that a building permit should be obtained for repair of the home, which was damaged by fire.
- Corres. #153 Letter to Chili Town Board from Linda Handyside requesting refund of collected fees.

#109 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the Supervisor be authorized to issue a check in the amount of \$30.00 to Dale Phillips, 85 Black Creek Road, representing fee for gymnastics classes her children were unable to attend. Seconded by Councilman Nowicki. Carried Unanimously.

#110 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Public Hearing for Woodbriar Estates establishment of a Drainage District be rescheduled for May 21, 1980, at 8:45 P.M. Seconded by Councilman Nowicki. Carried Unanimously.

- Corres. #154 Letter dated April 28, 1980, to Supervisor Powers and Chili Town Board from Daniel Rose, Dog Control Officer, requesting permission to purchase a reconditioned Motorola 2-way radio at a cost of \$325 plus installation.

#111 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Daniel Rose, Dog Control Officer, be authorized to purchase a reconditioned Motorola 2-way radio to replace the existing GE radio at a cost of \$325 plus installation. Seconded by Councilman Criddle. Carried Unanimously.

- Corres. #155 Letter dated April 30, 1980, to Chili Town Board from Scott E. Carpenter, Assessor, recommending that Janet DeRoller be appointed provisionally to the newly created position of Assistant to the Assessor at a salary of \$11,000.00 per year effective with PR#12.

## #112 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Janet DeRoller be appointed provisionally to the newly created position of Assistant to the Assessor at a salary of \$11,000.00 per year effective with PR#12. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #156 Letter dated May 2, 1980, to Supervisor James J. Powers from Erdman Anthony Assoc., re: final inspection of roof repairs in 1976 Highway Garage addition and recommending payment to the contractor.

Corres. #157 Letter from Erdman Anthony Assoc., re: increase in contract price for Highway Garage roof repairs from \$3,790 to \$3,824.

## #113 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that W. J. Grinder Roofing Company, Inc., be authorized to repair the Highway Garage addition roof for a cost not to exceed \$3,824 AND BE IT FURTHER RESOLVED that they provide a Performance Guarantee, subject to their contract. Seconded by Supervisor Powers. Carried Unanimously.

Corres. #158 Letter dated May 2, 1980, to Supervisor James J. Powers, from Erdman Anthony Assoc., re: final approval, Lexington Sub., Paul Road culvert.

## #114 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of Erdman Anthony Assoc., final release be made in the amount of \$2,880.00 for Letter of Credit being held for Lexington Subdivision., Paul Road culvert. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #159 Letter dated May 5, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: small tools.

## #115 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the Superintendent of Highways be authorized to purchase an additional \$1,000.00 of small tools. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #160 Letter dated May 6, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: transfer of funds.

## #116 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that \$15,000.00 be transferred from Highway Item #4, Snow Removal Town Contractual DS5142.4 to Highway Item #3, Machinery Personal Services DM5130.1. Seconded by Councilman Nowicki. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikueta, aye; Councilman Nowicki, no; Councilman Criddle, no; Supervisor Powers, aye.

Corres. #161 Memo dated May 6, 1980, to Chili Town Board from Carol O'Connor, re: limited period bingo license.

## #117 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Carol O'Connor, Town Clerk, is hereby authorized to issue Bingo License #3041 to St. Christopher Church, 3350 Union Street, N. Chili, New York, to hold Bingo games on June 6 & 7, 1980. Seconded by Councilman Nowicki. Carried Unanimously.

## #118 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Resolution #70 adopted March 19, 1980, be amended to read that the Chili Capital Development Advisory Committee shall consist of 11 members. Seconded by Councilman Criddle. Carried Unanimously.

## #119 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the following persons shall be appointed to serve on the Chili Capital Improvement Advisory Committee for the year 1980, to serve at the pleasure of the Town Board:

Frank Phillipone, 3116 Chili Avenue  
 Joseph DeRitis, 6 Wethersfield  
 Michael Boychuk, 30 Chi-Mar Drive  
 Gertrude W. Rowe, 48 Gateway Road  
 Fred R. Steele, 95 Fenton Road  
 Paul G. Reiter, 17 Pine Knoll  
 William Deans, 43 Omega Drive  
 Charles Winkelholz, 3448 Chili Avenue  
 Albert Rickmers, 7 Weathersfield  
 John Caschette, 2915 Chili Avenue

Seconded by Councilman Nowicki. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikuet, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, no.

## #120 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Robert Nothnagle, 24 Clifton Road be reappointed to the Board of Assessment Review with a term of office to expire April 19, 1985. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #162 Letter dated May 7, 1980, to James J. Powers, Chili Town Board, From Jerome Brixner, Chairman, Rec. & Youth Comm., re: Bareham Security Parks laborer.

## #121 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that upon the recommendation of the Chili Recreation & Youth Commission, the Supervisor is authorized to enter into an agreement with Bareham Security to provide park security guards between the hours of 10:00 p.m. and 3:00 a.m., seven days per week, for the period from May 12 through August 31, 1980, at a cost not to exceed \$4,200.00, AND BE IT FURTHER RESOLVED that the Bareham Security report back to the Supervisor's Office on a weekly basis of their activities. Seconded by Councilman Pikuet. Carried Unanimously.

## #122 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Kenneth DiFiore, 5 Girard Circle, be hired as a Seasonal Parks Laborer effective May 17, 1980, at a rate of \$3.40 per hour. Seconded by Councilman Pikuet. Carried Unanimously.

Corres. #163 Letter dated May 7, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: public hearing.

## #123 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that a public hearing be held on June 4, 1980, at 8:30 P.M. for the purpose of opening bids for purchase of a replacement pick-up truck for the Highway Department. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #164 Letter from Erdman Anthony Assoc., re: change order for Town Hall and Library Roof.

## #124 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Change Order No. 1 for the Town Hall and Library roof in the amount of \$250.00 covering additional, unforeseen work found necessary, be accepted. Seconded by Councilman Nowicki. Carried Unanimously.

## #125 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that \$2,217.00 of Federal Revenue Sharing funds allocated for Town Hall expansion in the 1980 budget be transferred to the Town Hall/Library roof allocation. Seconded by Councilman Nowicki. Carried Unanimously.

## #126 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                      |             |
|--------------------------------------|-------------|
| General Fund Vo. Nos. 486-570        | \$34,909.97 |
| Highway Fund Vo. Nos. 257-289        | 7,980.38    |
| Hillary Drain. Dist. Fund. Vo. No. 6 | 6.78        |

Seconded by Councilman Nowicki. Carried Unanimously.

COUNCILMAN RAMSEY said he had a few complaints regarding Cable TV. One regarding when the cables would be put in and one regarding incomplete replacement of lawn they dug up to lay cables. SUPERVISOR POWERS said underground cables take a while to install and go in last. They are either on utilities easements or they have to get permission from Homeowners. COUNCILMAN RAMSEY asked if there was any deadline in the contract for installation. SUPERVISOR POWERS will check it and keep an eye on their progress.

COUNCILMAN PIKUET asked about the town recycling. SUPERVISOR POWERS said Joel Greenblat did file a certificate of insurance, and it is all in order. He will ask Mr. Greenblat to come in at the next board meeting. COUNCILMAN PIKUET is to check back with the Conservation Board on the shelters. COUNCILMAN PIKUET asked now that the Drainage Referendum was voted down, where do we go from here? MR. KELLY did not know, but will talk with the Drainage Committee and find some alternatives.

COUNCILMAN NOWICKI suggested a public hearing to create a town ordinance banning "Headshops" in the Town (shops that sell drug related items). He also had information that Paul Road/Chili Avenue intersection will not be done this year. SUPERVISOR POWERS will call and find out why. COUNCILMAN NOWICKI suggested a Regional Council on Aging, which is like foster grandparents. SUPERVISOR POWERS will look into it. COUNCILMAN NOWICKI recommended the umpires at park games have power to forfeit games if alcohol is used by any of the team or spectators. The no alcohol policy in Town Parks should be more strictly enforced. JEROME BRIXNER said the umpires and park guards are going to arrive one hour early to enforce this. He will keep the Board informed. COUNCILMAN NOWICKI also suggested a suggestion box to be placed at the Town Hall for citizens' use.

COUNCILMAN CRIDDLE said the area is very messy by the Library entrance now, and will MR. GREENBLAT handle this? There is also a "Lake" out there near the ramp. Maybe a pipe or grading away from the building will help. MR. BERGMANN will look at it. COUNCILMAN CRIDDLE spoke to the Building Dept. and Town Assessor on voiding resolution of January, 1976. As they are satisfied with the way it is now, everyone agreed to leave the resolution on the books. COUNCILMAN CRIDDLE asked about the deplorable condition of Fenton Road. MR. CHUDYK hasn't made final decision on which roads will be repaired this year. They will certainly do something on it, and it may be quite expensive. He will put the list of roads to be done in the councilmen's mailboxes as soon as it is completed.

MEETING ADJOURNED AT 10:00 p.m.

Town Clerk  
Carol O'Connor

*Carol O'Connor*  
*Town Clerk*

dai

T O W N B O A R D  
MAY 21, 1980

A Meeting of the Town Board, Town of Chili, was held on May 21, 1980, at 8:00 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Nowicki, Councilman Criddle, Supervisor Powers

ALSO PRESENT: Mrs. O'Connor, Town Clerk; Mr. Kelly, Town Atty.; Mr. Bergmann, Town Eng.; Mr. Vail, Sr., Ins. Counselor.

The Minutes of the Town Board meeting held April 16, 1980, were amended and approved as amended.

MARIE SCHRODER, 519 WEST SIDE DRIVE: I am next to where they are building ten new homes. They have put an awful lot of fill in there, way above my property. In the lot next door, especially. When it rains, and when we have heavy snow, where is the water going? SUPERVISOR POWERS: Your property is west of Woodbriar? MS. SCHRODER: Right. MR. BERGMANN: It was constructed two foot higher than the plan showed, and it was a mistake. We did not become aware of it until two days ago. It was too late to ask him to rebuild the entire foundation. There is a question about drainage on that side. There is not enough room to put a channel in, however, this is only the side yard water, and I believe there is an open easement between your house and that house. We do not see that it would come all the way across that easement; there would have to be sloping constructed on the east side. We are asking him to grade it so it will run clearly to the back and to the front. We see no problems with it going to your property. When they build that house, they will have to be careful with the grading of that lawn. SUPERVISOR POWERS: What happens if the water does get into her property? MR. BERGMANN: It really is a very small amount of water that would come off this. All we can do is grade that lot. MRS. SCHRODER: There is standing water there now. There has always been water in there.

MRS. EARL HILLARD: We live right next door, and it sometimes has been one foot deep back there with water. MR. BERGMANN: It will not run to the west. It is a small amount of water. We will ask their engineer to shoot a couple of levels on that. MRS. HILLARD: It backs up into our yard ten foot or more. As long as there isn't any more. I think it will be worthwhile to try. COUNCILMAN NOWICKI: Is it possible to have their engineer write a letter to the Board so we will have something on record in case any problem does come up in the future. MR. BERGMANN: We can require him to do that.

JEAN PHILLIPS, 80 BALLANTYNE ROAD: Has it been approved for a suggestion box in the Town Hall? SUPERVISOR POWERS said we can try it. MRS. PHILLIPS volunteered to make a box and sign.

ERIC CARLSON, TONAWANDA, NEW YORK: I am a member of the Unification Church, and I would like to request that we be allowed to solicit funds in the Town of Chili. SUPERVISOR POWERS: The Board is not aware that you have made a request. The Board would like some time to go over this application, and I would like to do some checking. This was just handed to me ten minutes before I came in here. COUNCILMAN CRIDDLE: I would rather you make your request somewhat in advance so we can prepare. It was decided MR. CARLSON would try to be at the next month's board meeting, June 4, 1980, but it would be hard for him. SUPERVISOR POWERS mentioned this request was submitted a while ago, but no one ever came back to the Board from the Unification Church to follow through on it.

DAVID BEAVER, BEAVER ROAD: Mr. Connolly was supposed to meet me here at 7:30 P.M. and he is not here. Do you have any idea what he wanted. SUPERVISOR POWERS: Yes. You had a fire in the house several months ago, and The Board would like to know who is going to live in this trailer and what is going on. I have asked you to come in, and I know Mr. Connolly sent you a letter. You have a trailer? MR. BEAVER: Yes. In the driveway. SUPERVISOR POWERS: Is there anyone living in there? MR. BEAVER: I am. SUPERVISOR POWERS: Anyone in the house? MR. BEAVER: No one. SUPERVISOR POWERS: Have you got a building permit? MR. BEAVER: Yes. SUPERVISOR POWERS: How long do you intend to use the facility? MR. BEAVER: About 45 days more. I am rebuilding the house, electrical and drywalls, and a complete kitchen. It is going to be at least another month and a half. It has been busted into three times, and I

lost tools and that. That is why I am staying around it. SUPERVISOR POWERS: You are living there? MR. BEAVER: Yes. SUPERVISOR POWERS: Do you have the facilities in the trailer working? MR. BEAVER: We use the bathrooms in the house, which are all back in order. I eat all my meals out. SUPERVISOR POWERS: Where will this trailer go after? MR. BEAVER: I don't know. I am renting from Barry Camper Trailer in Albion. I just got my check from the Insurance Company for the fire, and now we can move on this. SUPERVISOR POWERS: The trailer will go back? MR. BEAVER: Yes. I have no use for it, although I do have the option to buy it. COUNCILMAN CRIDDLE: Will 60 days be adequate to finish the job? MR. BEAVER: Yes. I have only been waiting for the money. COUNCILMAN NOWICKI: Has Mr. Connolly been at the site to see that work is going on satisfactorily? SUPERVISOR POWERS: Yes, he has. Is the house in your name? MR. BEAVER: In Gail's name.

#127 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the trailer on the property of David Beaver on Beaver Road be allowed to remain for a period of 60 days until the property can be reinspected and a Permanent Certificate of Occupancy can be issued. Seconded by Councilman Nowicki. Carried Unanimously.

The Town Board Meeting adjourned to a Public Hearing to open bids for the asphalt paver at 8:30 P.M. and reconvened at 8:35 P.M. Roll Call--same as previously recorded.

MR. COOK, DIRECTOR OF GENERAL HOUSING in the Genesee/Finger Lakes Regional Council: This Council was established in 1977, and its members are locally elected officials. This insures I am accountable to the people. It was created first to service the forum to discuss county to county issues, and secondly, to promote the various issues and projects to the counties from Federal and State Governments and, thirdly, to provide services to address the needs of all the counties and communities. We have been involved in many projects. We have a planning program to provide information and a housing program, which is an important part of our work. There are federal and state programs that could address these needs. It is the area wide housing opportunity plan. MR. STUART BROWN, CONSULTANT TO THE HOUSING PROGRAM: There are two characteristics of this program. One, it has to be enforced by a certain number of municipalities and councils in the region. 51 percent is needed to be approved by HUD. Second, it is totally voluntary. There are no mandates stating this region has to have an Area-Wide Housing Program. It doesn't cost anything to the counties within the region. The going operation and maintenance will be conducted of the Regional Council. There are three major uses of this plan. There is an opportunity for local communities to make sure their interests are represented with HUD. Until now, these decisions were made in Washington. HUD is supporting this program and saying, "If you have a housing opportunities program, we will do our best to help." This is the major advantage of the plan. These monies have been coming into the area, but through this program, we can have an opportunity to exert some leverage. Secondly, HUD has said, "If there is an approved housing opportunities program in the region, an additional 50 points can be added to the municipality's application. This can make the difference what a municipality gets funds for or not. HUD has an eligibility rating system they use to determine what projects get funding. Municipalities get rated, and then get an additional 50 points, which can move them from say 14th place to 8th place. There are several regional planning associations where municipalities have gotten funds just by these additional points.

MR. COOK: There is more than even a couple regional associations. We are trying to stay competitive. We are ahead of many communities who don't have a chance with this program. COUNCILMAN PIKUET: Who is the recipient of this extra 50 points? MR. COOK: The individual municipality that makes application. MR. BROWN: If you were to apply to small cities, they give discretionary funds. We are talking about small cities. The County has changed their procedure for small cities. They are advocating money for state agencies. These are eligible items under the program: drainage, library, town hall. Each municipality has the option of joining the plan or going to HUD themselves. This program is an option. COUNCILMAN PIKUET: Does your literature spell all this out? MR. COOK: Yes. The third option of the program is for areas with an approved program, HUD makes special bonus funding available on the initiative of a tax area. There is an annual competition for additional points and bonus points. COUNCILMAN NOWICKI: This would be for county use? MR. COOK: For counties and it could be dispersed into other areas. The Urban County Community Development Program controls the funds. COUNCILMAN PIKUET: How would the Town benefit? MR. COOK: The people within the Town would benefit from this. Under section 8, there are three to four different types of projects. One deals with existing housing, and it provides subsidies for people with lower incomes. MR. BROWN: We have a summary of the housing study that was distributed out. We will be working directly with HUD to insure the allocations address the needs. THE BOARD DECIDED TO REVIEW THE MATERIAL BEFORE VOTING ON THE APPLICATION.

MR. JOEL GREENBLAT was present regarding the recycling program. He said he can take over the glass and tin. If a shelter is made for the paper, then he can take that, too. COUNCILMAN PIKUET said the Conservation Board is still looking over the possibilities for the shelter. He mentioned this is a gentleman's agreement with the Town and each party can back off the contract at any time? MR. GREENBLAT: Yes. I would be willing to sign a written agreement to that effect. I have one like this, already. COUNCILMAN NOWICKI: You are going to keep the area clean? MR. GREENBLAT: Yes. I only need a place to dispose of non-recycleable items.

#128 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Town Pump Recycling be authorized to pick up, on a weekly basis, glass, metal, and paper (when dry) and dispose of such AND BE IT FURTHER RESOLVED that a Certificate of Insurance be furnished to the Town on an annual basis to assure continuing insurance coverage. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #165 Letter to Carol O'Connor from Chili Fire Dept., Inc., re: additions to list of active members.

#129 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following names be added to the list of active volunteers upon the recommendation of the Chili Fire Department:

Paul Jester, 2694 Chili Avenue, Rochester, 14624  
 Bruce Weston, 330 Paul Road, Rochester, 14624  
 James Harnstreet, 21 Pleasant View Dr., N. Chili, 14514  
 Steve Jamieson, 461 Chestnut Ridge Rd., Rochester, 14624  
 Daniel Caufield, 14 Wills Road, Rochester, 14624  
 Rick Vos, 56 Gateway Rd., Rochester, 14624

AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail, be so notified. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #166 Letter to Carol O'Connor from Chili Fire Dept., Inc., re: deletions to active list.

#130 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Chili Fire Dept., Inc., the following names be removed from the list of active volunteers:

Steve Koster, 387 Beaver Road, Rochester, 14624  
 Steve Trenton, 365 Chili Riga TL Rd., Churchville, 14428

AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail, be so notified. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #167 Letter dated May 5, 1980, to Town of Chili from Clifton Fire Dept., Inc., re: new member.

#131 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that upon the recommendation of the Clifton Fire Dept., Inc., that Stephen Trenton, 229 Chili-Riga TL Road, Churchville, 14428, be added to the list of active volunteers AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail, be so notified. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #168 Preliminary Report - Housing in the Genesee/Finger Lakes Region-Areawide Housing Opportunity Plan, submitted by the Genesee/Finger Lakes Regional Planning Council.

Corres. #169 Letter dated May 7, 1980, to Supervisor Powers from David C. Powell, Regional Traffic Eng., NYSDOT, re: File: 26.13-386, Study: 4794229, advising that a further reduction of speed limit on Chili-Coldwater Road would not be appropriate at this time.

Corres. #170 Letter dated May 7, 1980, to Supervisor James J. Powers, and Mark Fuller, Esec. Dir., DePaul Mental Health Services, from James A. Prevost, M. C., Commissioner, NYS Office of Mental Health, advising that it is his finding that there is a need for a community residence at the proposed location in the Town of Chili, which will in no event result in a concentration in the Town of Chili of such facilities that the nature and character of the areas within the Town would be substantially altered.

- Corres. #171 Letter from residents of Stone Barn Road, Weatherwood Lane, and Majestic Way, in favor of a dumping ordinance in the Town of Chili.
- Corres. #172 Letter dated May 14, 1980, to Town of Chili, from Bernard Iacovangelo requesting a public hearing for rezoning of property at 2575 Chili Avenue.

#132 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a Public Hearing be held on June 18, 1980, at 8:30 P.M. for the purpose of considering the rezoning of property at 2575 Chili Avenue from RA-10 to C-2 AND BE IT FURTHER RESOLVED that the applicant shall reimburse the Town for cost of all legal notices. Seconded by Councilman Ramsey. Carried Unanimously.

- Corres. #173 Letter dated May 15, 1980, to Supervisor James J. Powers from Graham E. Chamberlain, Dir. of Street Lighting, R G & E, reporting the completion of street lighting changes on Union Street at Morgan Road, Union St. at Parkway Dr., and Chili-Coldwater Rd. from Chili Ave. to Westside Dr.
- Corres. #174 Copy of letter dated May 15, 1980, from Alexander Geiger, Nixon, Hargrave, Devans & Doyle, re: Appearance and Complaint of Rochester Telephone Corp., objecting to 1980 Tentative Special Franchise Assessments (Towns of Bergen, Bethany, LeRoy, et al ) File No. 6095.
- Corres. #175 Copy of letter dated May 15, 1980, from Alexander Geiger, Nixon, Hargrave, Devans & Doyle, re: Appearance and Complaint of Rochester Gas & Electric Corp. objecting to 1980 Tentative Special Franchise Assessments (Towns of Allen, Amity, Angelica, et al) File No. 6096.

NOTE: Copies of original documents served on Town Clerk by Registered Mail have been given to Town Attorney and Assessor.

- Corres. #176 Letter dated May 16, 1980, to Supervisor James Powers, from Churchville Chili Central School District, Board of Education, re: opposition to a proposed landfill at the Iacovangelo-Derleth property on Bromley Road in Riga and requesting the Town's support.
- Corres. #177 Letter dated May 16, 1980, to Town Board of Chili, from Rose C. Schwer, 12 Mercedes Drive, re: block party.

#133 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Mercedes Drive be closed on Saturday, August 22, 1980, between the hours of 12 noon and 8:00 P.M. from house number 10 through 20, for purpose of a block party AND BE IT FURTHER RESOLVED that the Supt. of Highways barricade said street AND BE IT FURTHER RESOLVED that the Sheriff's Dept. and Fire Dept. be notified of this closing. Seconded by Councilman Criddle. Carried Unanimously.

- Corres. #178 Minutes of Chili Conservation Board Meeting of April 23, 1980, submitted.
- Corres. #179 Minutes of Regular Meeting, Chili Library Board of Trustees, held April 30, 1980, submitted.
- Corres. #180 Application for membership in International Association of Assessing Officers submitted by Scott E. Carpenter, Assessor. Dues for membership would be \$45 annually.

#134 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Scott E. Carpenter be authorized to join the International Association of Assessing Officers, annual dues to be paid from Assessor Contractual Account AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$45.00 for one year's membership to IAAO. Seconded by Councilman Pikueta. Carried by the following vote: Councilman Ramsey, no; Councilman Pikueta, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, aye.

- Corres. #181 Letter dated May 16, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Highways, requesting permission to dispose of surplus two-way radios and equipment.

## #135 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Stephen A. Chudyk, Supt. of Hwys., be authorized to dispose of surplus and obsolete two-way radios and associated materials in accordance with Highway Law Par. 142(5), proceeds of which will be turned over to the Town, providing the value does not exceed \$2,500.00. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #182 Copy of letter dated May 16, 1980, to Gallo & Iacovangelo, Attys., from Robert Hunter, Chili Planning Board, advising that the Planning Board is recommending the rezoning of property at 2575 Chili Avenue from RA-10 to C-2.

Corres. #183 Letter dated May 19, 1980, to Town Board, Town of Chili, from Stephen A. Chudyk, Supt. of Hwys., re: end of Wadsworth Drive, letter of February 5, 1980, requesting that the turn around be re-established under State and Highway Law, Par. 189.

Corres. #184 Memo dated May 20, 1980, to Chili Town Board, from Carol O'Connor, Town Clerk, re: Bingo License, St. Pius the Tenth Church.

## #136 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Carol O'Connor, Town Clerk, is hereby authorized to issue Bingo License No. 3042 to St. Pius the Tenth Church for the year 1980-81. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #185 Letter dated May 20, 1980, to James J. Powers, Chili Town Board, from Jerome F. Brixner, Chairman, Chili Recreation & Youth Comm., re: additional information to support request for pay increase for gymnastics instructors from \$6.00 to \$8.00 per hour.

## #137 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Resolution #108 of May 7, 1980, be removed from the table for discussion. Seconded by Councilman Pikueta. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikueta, aye; Councilman Nowicki, no; Councilman Criddle, aye; Supervisor Powers, no.

## #138 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Resolution #108 of May 7, 1980, be tabled pending further information and discussion. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #186 Letter dated May 20, 1980, to James J. Powers, Chili Town Board, from Jerome F. Brixner, Chairman, Recreation & Youth Comm., requesting establishing the Mothers' Time Off Program as a fee program with one instructor at \$4.00 per hour and one assistant at \$3.25 per hour.

Corres. #187 Memo from the Rochester Committee for Scientific Information, re: seminar on "Passive Solar Building" to be held at RIT

## #139 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Robert Connolly, Building Inspector, be authorized to attend the seminar on solar heating to be held at RIT on May 28, 1980, AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$25.00 payable to the Rochester Home Builders Association to cover the cost of this seminar. Seconded by Councilman Pikueta. Carried Unanimously.

Corres. #188 Letter dated May 12, 1980, to Supervisor James Powers, from Ms. Anita Russo, Senior Personnel Technician, Monroe Co. Civil Service Comm., requesting reclassification of the position being held by Joann Pritchard.

## #140 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Recreation Director complete the new position duty forms for the Community Center Director to be forwarded to Monroe County Civil Service Comm. so that the job may be reclassified and title and position be approved by the Commission. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #189 Letter dated May 8, 1980, to James J. Powers, from Anita Russo, Monroe Co. Civil Service Comm., re: change in job title.

#141 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that in accordance with the ruling of the Monroe County Civil Service Commission, the position of Groundsman for the Town of Chili be abolished and the position of Grounds Equipment Operator, non-competitive, be adopted in its place. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #190 Minutes of Chili Recreation & Youth Comm. meeting of March 12, 1980, submitted.

Corres. #191 Minutes of special meeting of Chili Recreation & Youth Comm. held on March 26, 1980, submitted.

Corres. #192 Minutes of Chili Recreation & Youth Comm. meeting held April 7, 1980, submitted.

Corres. #193 Minutes of Chili Recreation & Youth Comm. meeting held April 24, 1980, submitted.

#142 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that \$2,500.00 be transferred from General Contingent Fund to Garage Contractual A5132.4. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #194 Letter from Erdman Anthony, Assoc., re: Town Hall/Library Roof-release of monies.

#143 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that on the recommendation of the Town Engineer, Erdman Anthony, Assoc., \$14,775.30 be released to William C. McCombs, for work done on the Town Hall/Library Roof, and \$1,641.70 be held in Contingent. Seconded by Councilman Pikuet. Carried Unanimously.

#144 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                   |             |
|-----------------------------------|-------------|
| General Fund Vo. Nos. 571-628     | \$18,789.43 |
| Highway Fund Vo. Nos. 290-315     | 4,118.79    |
| Comb. Drain. Dist. Vo. Nos. 4 & 5 | 83.36       |
| Fed. Rev. Shar. Vo. No. 3         | 14,775.30   |

Seconded by Councilman Nowicki. Carried Unanimously.

SUPERVISOR POWERS asked the Recreation Director about raising the fence to 8 feet in the left field at Ballantyne School. MR. BRIXNER will look into this and request a price. SUPERVISOR POWERS said the interscholastic tennis on the courts by Churchville High School has left no place for the public to use. MR. BRIXNER will check into this. SUPERVISOR POWERS said COUNCILMAN NOWICKI called Pure Waters regarding the problems the Town has been having and some of their staff will come to the next Board meeting to discuss this.

COUNCILMAN NOWICKI asked about the drainage problem in Davis Park. MR. BERGMANN has not started the project until June 1. On the Garage Ventilation problem, MR. BERGMANN said to satisfy all the codes, it will cost \$15,000.00.

#145 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be held on June 4, 1980, at 8:45 P.M. on the Woodbriar Estates Drainage District establishment. Seconded by Councilman Pikuet. Carried Unanimously.

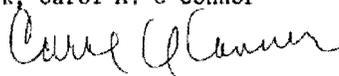
#146 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Councilman Pikuet be authorized to attend the Solar Heating Seminar and be it FURTHER RESOLVED that Supervisor Powers be authorized to issue a check for \$25.00 in payment of said seminar. Seconded by Councilman Pikuet. Carried Unanimously.

MEETING ADJOURNED at 12:00 P.M.

Town Clerk, Carol A. O'Connor

dai



P U B L I C H E A R I N G  
M A Y 2 1 , 1 9 8 0

A Public Hearing was held by the Town Board, Town of Chili, at 8:30 P.M. to open bids for the asphalt paver for the Highway Dept., in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624.

The Hearing was called to order by Supervisor Powers.

ROLL CALL: Same as previously recorded.

The hearing was duly advertised in the local newspapers per the Town Clerk.

BID NUMBER 1

Dowe & Company, Elmwood Avenue, Buffalo, New York

\$14,486

2,000 Less trade in

\$12,486 Net Bid with Trade in

\$14,486 Net Bid without Trade in

BID NUMBER 2

Ridings Equipment Corp., 60 Paul Road, Rochester, New York

\$26,250

6,250 Less trade in

\$20,000 Net Bid with Trade In

\$22,000 Net Bid without Trade In

ALTERNATE BID: \$27,250

6,250 Less Trade In

\$21,000 Net Bid with Trade In

\$23,000 Net Bid without Trade In

COUNCILMAN NOWICKI: Are all the documents in order for both bids?

MRS. O'CONNOR: Yes.

A Representative from Ridings Equipment Corp. said the first bid was on a demonstrator model.

The Hearing was closed at 8:35 P.M.

Town Clerk,  
Carol O'Connor

dai

T O W N B O A R D  
JUNE 4, 1980

A Meeting of the Town Board, Town of Chili, was held on June 4, 1980, at 8:00 p.m. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Supervisor Powers

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikueta, Councilman Nowicki, Councilman Criddle, Supervisor Powers.

ALSO PRESENT: Mrs. O'Connor, Town Clerk; Mr. Kelly, Town Atty.; Mr. Vail, Sr., Ins. Counselor, Bill Kiselycznyk, Town Eng.

MR. & MRS. MILES HAKE, 26 ADELLA CIRCLE complained about a problem they have with a drainage ditch in front of their house filled with cattails. Once the Town cut them down, last year, however, they have now grown back in. We have the worst looking home on the tract. The water just sits there. The ditches on the side of our house have no water in them. SUPERVISOR POWERS said we will see what we can do. We will try something. We are doing some ditch cleaning this week and maybe we can get out there.

Corres. #195 Application for Solicitor's License from Eric Carlson of the Unification Church.

Corres. #196 Letter dated May 20, 1980, received May 22, 1980, by certified mail, to James Powers from Robert L. Massey, C.S.E.A., Region #6 Organizer, requesting sole and exclusive rights for the purpose of collective bargaining and administration of grievances arising thereunder for the Chili Highway Dept.

Corres. #197 Letter dated May 23, 1980, to Chili Town Board from J. D. TenHagen, Regional Design Eng., NYSDOT, re: Town of Chili, Scottsville Road bridge over ConRail (Adjacent to Paul Road) Route 383 Monroe County, P.I.N. 4099.08, and submitting a copy of preliminary plans for same.

Corres. #198 Letter dated May 23, 1980, to Town Supervisor's Office from Mrs. Judy Mason, 5 Gateway Road, re: block party.

#147 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Cutter Drive be closed on Saturday, August 2, 1980, (rain date of Sunday, Augus- 3) between the hours of 3:00 P.M. and 8:00 P.M. for purpose of a block party AND BE IT FURTHER RESOLVED that the Supt. of Highways barricade said street AND BE IT FURTHER RESOLVED that the Sheriff's Dept. and Fire Dept. be notified of this closing and in the event horses are used, BE IT FURTHER RESOLVED that the Town shall be provided with a Hold Harmless Clause for said horses. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #199 Letter dated May 23, 1980, to Town Board from Alfred Buttarazzi, 244 Archer Road, Churchville, New York, appealing the Planning Board's decision of May 13, 1980, granting permission to Mr. Denigris, 254 Archer Road, to keep horses in a residential zone.

#148 RESOLUTION OFFERED BY COUNCILMAN PIKUETA

RESOLVED that a Public Hearing be held on July 16, 1980, at 8:30 P.M. to consider the appeal of Alfred Buttarazzi of the Planning Board's decision of May 13, 1980, granting permission to Peter Denigris to have horses at 254 Archer Road AND BE IT FURTHER RESOLVED that Mr. Buttarazzi shall reimburse the Town for the cost of legal notices. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #200 Letter dated May 27, 1980, to Supervisor James Powers, from Glenn R. Cook, Director, Genesee/Finger Lakes Regional Planning Council, re: Areawide Housing Opportunity Plan, indicating they are willing to meet again with the Town Board at their convenience and looking forward to endorsement of the plan.

Corres. #201 Letter dated May 28, 1980, to James J. Powers from Lockwood Mapping, Inc.  
re: new aerial spring photography, which is available for the Town at  
a cost of \$80.62 if order is placed before June 30, 1980.

Corres. #202 Letter dated June 2, 1980, from Mary Dechle, 34 Wethersfield Road,  
re: block party.

#149 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Wethersfield Road be closed on Sunday, June 22, 1980, (rain date  
June 29, 1980) between the hours of 2:00 P.M. and 9:00 P.M. at house no. 8  
Wethersfield for the purpose of a block party AND BE IT FURTHER RESOLVED that  
the Supt. of Highways barricade said street AND BE IT FURTHER RESOLVED THAT  
the Sheriff's Department and Fire Department be notified of this closing.  
Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #203 Chili Dog Control Report submitted for month of May, 1980, by Daniel F.  
Rose, Chili Dog Control Officer.

Corres. #204 Memo to Supervisors and County Legislators from Supervisors' and County  
Legislators' Assoc. of the State of New York, re: 31st Summer  
Conference School.

#150 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Supervisor Powers be authorized to attend the 31st Summer Confer-  
ence School of the Supervisors' and County Legislators' Assoc. to be held in  
Niagara Falls, NY, June 29 to July 2, 1980, expenses to be paid by voucher as  
incurred. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #205 Letter of resignation, dated May 27, 1980, from Lisa J. Phillips, to be  
effective May 30, 1980.

#151 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the resignation of Lisa J. Phillips, as Temporary Clerk/Typist  
for the Building Dept. be accepted effective May 30, 1980. Seconded by  
Councilman Nowicki. Carried Unanimously.

Corres. #206 Letter dated May 27, 1980, to Town of Chili, from Jack Parsons, Erdman  
Anthony, Assoc., submitting estimated cost figures for spray paint room  
in Highway Garage (Total estimated construction costs \$18,000.00).

Corres. #207 Letter dated May 30, 1980, to Town Board from Stephen A. Chudyk, Supt.  
of Hwys., re: recommendation on paver bids.

#152 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of Stephen A. Chudyk, Supt. of Hwys.,  
the bid for the purchase of a paver be awarded to Dowe & Company, Inc., 3240  
Monroe Avenue, Rochester, 14618, for a Mauldin Pneumatic tired, self-propelled  
asphalt paver with trade-in of Layton paver Model 500B per bid price submitted  
May 21, 1980, for \$12,486.00. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #208 Letter dated June 1, 1980, to Chili Town Board from Jerome F. Brixner,  
Chairman, Chili Recreation & Youth Comm., submitting names of individuals  
to be hired for Vacation Playground program.

The Town Board was adjourned to a public hearing at 8:30 P.M. and reconvened at  
8:35 P.M. Roll Call - same as previously recorded.

Corres. #209 Memo dated June 2, 1980, to Chili Town Board from Daniel F. Rose,  
Dog Control Officer, recommending appointment of Shelia Fodge as  
part-time Asst. Dog Control Officer.

#153 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Dog Control Officer, Shelia Fodge,  
3233 Union Street., N. Chili, NY, 14514, be appointed Dog Control Officer, PT,  
to be paid at the rate of \$3.91 per hour, to replace Mrs. Pharoah when she is  
not able to work for this position. Seconded by Councilman Pikueta. Carried  
Unanimously.

- Corres. #210 Letter dated June 3, 1980, to Supervisor James J. Powers, from Donald J. Bergmann, Town Eng., re: additional work required in Chili Memorial Park, Henderson Addition, at estimated cost of \$3,000.00.
- Corres. #211 Letter dated June 3, 1980, to Town Board, from Jerome F. Brixner, Chairman, Chili Recreation & Youth Comm., requesting that the second Seasonal Parks Laborer be appointed.

#154 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that upon the recommendation of the Recreation & Youth Comm., Robert Lowden, 3626 Chili Avenue, Rochester, 14624, be appointed as Seasonal Laborer for the Parks Dept., to be paid \$3.40 per hour. Seconded by Supervisor Powers. Carried Unanimously.

- Corres. #212 Letter dated June 3, 1980, to Chili Town Board from Jerome F. Brixner, Chairman, Chili Rec. & Youth Comm., advising Stephen D. Girolmo is being appointed as Seasonal Playground Leader.

#155 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the following abstracts, as prepared by the Town Clerk, Carol A. O'Connor, be approved, and bills ordered paid as rendered:

|  |             |
|--|-------------|
| General Fund Vo. Nos. 629 - 697 (Vo. 631-639 void) | \$11,109.77 |
| Highway Fund Vo. Nos. 316 - 338                    | 53,758.96   |

Seconded by Councilman Criddle. Carried Unanimously.

#156 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the Town Board Meetings for the Month of July, 1980, be held on July 16, 1980, and the Town Board meeting for the month of August, 1980, be held on August 13, 1980. Seconded by Councilman Criddle. Carried Unanimously.

- Corres. #213 Letter dated June 2, 1980, from Daniel F. Rose, Dog Control Officer, to attend two-day workshop at Erie Co. SPCA Shelter, Tonawanda, New York, on June 13 and 14, 1980.

#157 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Daniel F. Rose, Dog Control Officer, is authorized to attend a two-day workshop held by the Department of Agriculture and Markets at the Erie Co. SPCA Shelter, Tonawanda, New York, on June 13 and 14, 1980; expenses to be paid by voucher as incurred. Seconded by Councilman Pikueta. Carried Unanimously.

The Town Board was adjourned to a public hearing at 8:45 P.M. and reconvened at 8:55 P.M. Roll Call - same as previously recorded.

SUPERVISOR POWERS spoke to County Legislature, re: Paul Road/Chili Ave. Intersection and Pixley Road, to name a few. He will try to keep on top of this situation. Also, The Board should think about \$25,000 Revenue Sharing for the Highway Garage and should move on this very shortly.

COUNCILMAN RAMSEY said Mrs. Murphy passed her Clerk/typist exam through Civil Service. SUPERVISOR POWERS said he has to go through the list and send out letters to all the names on the list ahead of her.

COUNCILMAN PIKUET has been getting calls on minibikes. MR. KELLY believes it is necessary to impose a restrictive ordinance. We should explore this possibility. The Conservation Board should be behind this. We can draft an appropriate ordinance with supporting documents.

SUPERVISOR POWERS talked to Bareham Detective Service and Mr. Evans, there. He will be getting daily reports from them.

COUNCILMAN NOWICKI asked if a response was back on the Marcioni Property. SUPERVISOR POWERS has noticed he is fixing up the property. COUNCILMAN NOWICKI asked if MR. CHUDYK has gotten a schedule of the streets to be paved this year? SUPERVISOR POWERS said he has not yet, but will get it as soon as possible. COUNCILMAN NOWICKI asked if SUPERVISOR POWERS got a response back from the City, Mayor Ryan, on charge backs to property owners for cleaning up their properties. SUPERVISOR POWERS did not write but will do so.

COUNCILMAN CRIDDLE asked if all the materials have been provided for the Capital Advisory Comm. SUPERVISOR POWERS will see to it. COUNCILMAN CRIDDLE also asked if anyone has checked out the rear entrance to the library. TOWN ENGINEER is waiting for a rain but the blacktop seems logical for a solution.

MR. KELLY said a local law is needed re. Meadowbrook for jurisdiction over the speeding and parking. I have general information on it. SUPERVISOR POWERS said a public hearing can be set at the next meeting.

JEROME BRIKNER said his first note to the Recreation Comm. did not get too far, regarding the fence at Ballantyne. He suggested SUPERVISOR POWERS talk to Mr. Fodge. He also advised The Board that the signs for no drinking in the parks will be up shortly.

MEETING ADJOURNED at 10:00 P.M.

Town Clerk  
Carol A. O'Connor

dai

P U B L I C H E A R I N G  
J U N E 4 , 1 9 8 0

A Public Hearing was held by the Town Board, Town of Chili, on June 4, 1980, at 8:30 p.m. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624, to open bids for the Highway Department Pick up truck.

ROLL CALL: Same as previously recorded.

BID NUMBER 1

Genesee Ford Truck Sales, Inc.  
1280 Jefferson Road  
Rochester, New York, 14623

|                                    |               |                |
|------------------------------------|---------------|----------------|
| FORD TRUCK                         | \$6,918.00    |                |
| Less Trade in of                   | <u>450.00</u> | 1975 Chevrolet |
| NET BID                            | \$6,468.00    |                |
| NET BID WITHOUT TRADE IN\$6,918.00 |               |                |

NOTE--there is an additional \$500 rebate from Ford if ordered before June 21, 1980.

COUNCILMAN NOWICKI: Are all the documents in order?

MRS. O'CONNOR: Yes.

SUPERVISOR POWERS: Is that under state bid?

MRS. O'CONNOR: I don't know.

SUPERVISOR POWERS: I will check it out.

The Hearing was closed at 8:35 P.M.

Town Clerk  
Carol A. O'Connor

dai

PUBLIC HEARING  
JUNE 4, 1980

A Public Hearing was held by the Town Board, Town of Chili, on June 4, 1980, at 8:45 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624, to hear the establishment of the Woodbriar Estates Drainage District.

Roll Call - same as previously recorded.

SUPERVISOR POWERS: I notice there is no one in the audience from Woodbriar.

MR. KELLY: They have filed all the necessary documents. Do you have a copy of the subdivision map?

SUPERVISOR POWERS: The easement goes from 1 to 6, then back to the street. There is no easement I can see on 7, 8, 9, and 10, either on the rear or side.

MR. KISELYCZNYK: Right.

SUPERVISOR POWERS: I think we should have that.

MR. KELLY: That can be requested. There wasn't a drain needed at that point, but it is practical to at least have it until such time as it will be needed. I am sure they will accommodate that. Do you find any specific drainage problems in that area?

COUNCILMAN PIKUET: Don't we have to have an interested party present to hold a hearing?

MR. KELLY: The papers have all been filed. If you prefer, you can adjourn it until he is present.

MRS. O'CONNOR: I sent him a letter to be here.

SUPERVISOR POWERS: I would like to see monuments added to this list of general notes. I think they should be put in quick and automatically.

COUNCILMAN NOWICKI: What about the drain going east of lot 10?

SUPERVISOR POWERS: It goes under Pixley Road and Virginia Lane through a pipe.

COUNCILMAN NOWICKI: Any problems with easements over here?

MR. KELLY: There is some land in between there.

SUPERVISOR POWERS: This is Jim Barbato's, too.

COUNCILMAN CRIDDLE: What does he plan in there?

MR. KELLY: Nothing specific at this point.

COUNCILMAN PIKUET: Can we adjourn until he is present to answer some of these questions?

SUPERVISOR POWERS: We will adjourn this public hearing until June 18, 1980 at 9:00 P.M.

Town Clerk.  
Carol A. O'Connor

*Carol A. O'Connor*

dai

Town Board  
June 18, 1980

A meeting of the Chili Town Board, Town of Chili, N.Y. was held on June 18, 1980 in the Chili Administration Offices, 3235 Chili Ave. at 8:00 P.M. The Meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk, and followed by the Pledge of Allegiance.

Roll Call: Councilman Ramsey, Councilman Pikuett, Councilman Nowicki, Councilman Criddle, Supervisor Powers.

Also Present: Mrs. O'Connor, Town Clerk, Mr. Kelly, Town Atty., Mr. Chudyk, Supt. of Highways; Mr. Vail, Ins. Counselor; Donald Bergman, Town Engineer.

The minutes of the Town Board Meeting of May 7, 1980 were amended and approved as amended.

The Town Board Minutes of the meeting of May 21, 1980 were amended and approved as amended.

DONALD FASO, 134 Hillary Dr. appeared before the board regarding the high intensity of storms that have hit the area recently and the tremendous amount of flooding and water damage incurred in the Hillary Heights area. Why did it take so long for Hillary to get relief from the Fire Dept.? And why did we, when we got relief get an Explorer Post sent who had no authority for they are young kids. Some sort of emergency system should be established for future emergencies. He also requested lowering of taxes for homes in the area. SUPERVISOR POWERS said he cannot answer for the Fire Dept.. I did what I could do. This Town Board does not have the right, under the law, to lower the assessment or taxes. I can show you a couple of other areas flooded badly by the storms. MR BERGMAN said he saw no way the berm could have hindered the area. It does hold back water from the east and did hold some so it probably would have been worse without it. MR KELLY state if you abolish the drainage district there is no way any work can be done in there for drainage. It cannot be taken care of as a town wide function. You could expand your area and levy taxes accordingly. BETTY GRIFFIN, 129 Hillary stated we were told the Town had this developed and checked out for sewage. Most of the houses were built one per cent below the road level. Water in the north is a part of the flooding as well as to the east. When you have tons of debris in there, how can it drain? DORIS CARLY, 138 Hillary Dr.: We have seen nothing but water and we are pretty fed up with it. BOB CARLY, 138 Hillary Dr. When I saw the berm, I could not believe it did not extend to the back culvert. Why wasn't it extended? MR. BERGMANN: It is not as simple as running the berm another few feet. We have to store the water somewhere. The water on the east will only handle a portion. The other 80 per cent of the water comes from the north. We do have a plan to create a drainage area--detention pond, north of the railroad. The total cost for that is from \$80,000 to \$100,000.

THE TOWN BOARD MEETING WAS ADJOURNED TO PUBLIC HEARING ON REZONING OF 2575 Chili Ave. at 8:30 P.M. AND RECONVENED AT 9:20 P.M. ROLL CALL: same as previously recorded.

MRS. GRIFFIN: submitted pictures of the opening to the north. If 80 per cent of the water comes into Hillary from the north, why hasn't this been corrected? MR BERGMANN: The high cost and legal problems are the problem. JOYCE BLACEV, 154 Hillary: This has not been cleaned out and it is the town's responsibility to take care of it. The Town is very lacking in responsibility to the people of Hillary Dr. FRANK BERARDI, 123 Hillary Dr.: A lot of valuable things have been lost. Has anyone seen the people's cellars? We have 2 to 3 feet of water down there. We have had water in our yard since the berm has been put in. MR. BERGMANN will go look at the berm. We haven't had any complaints regarding the function of the berm. VINCE POLAZZI: Were any estimates submitted to the Board for the cost of gas and time for the volunteer fire dept. to come out and and pump the water? All the money the Board is spending for this, they could correct the situation and spend less

State of New York  
COUNTY OF MONROE }  
CITY OF ROCHESTER }

SS.

*Min Book - June 18*  
*P. H. Cutler (Census Bureau)*  
*W. June 2575 Chil. Ave*

**Cynthia Herrick**

being duly sworn, deposes and says

that she is principal clerk in the office of the ROCHESTER DEMOCRAT & CHRONICLE a daily newspaper published in the City of Rochester, County and State aforesaid, and that a notice of which the annexed is a printed copy, was published in the said paper on the following dates:

**6/2/80**

*Cynthia Herrick*

**2nd**

Sworn before me this

**June**

**1980**

day of

**AGNES S. BROWN, Notary Public**  
State of N. Y., Monroe County  
Commission Expires March 30, 1982

*Agnes S Brown*

NOTARY PUBLIC

**NOTICE OF A PUBLIC HEARING**  
PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Chili at the Chili Town Hall, 2033 Chili Ave. Rochester, N. Y. 14624 at 8:30 P.M. O'clock on the 18th day of June 1980. Purpose of public hearing is for a REZONING of property owned by Charles Cutler, located at 2575 Chili Ave. (formerly Carl's Nursery) Rochester, N. Y. from RA-10 (Rural Agriculture 10 acre lots) to C-3 (General Commer. clal).  
PLEASE TAKE FURTHER NOTICE that at said time and place an opportunity will then and there be given to all persons to be heard on such application.  
Dated: June 2, 1980.  
CAROL O'CONNOR,  
Town Clerk.  
GW-June 2-11-D&C

money in the long run, WALTER BLOSS, 61 Sequoia Dr.: This Board did attempt to make drainage a Town Wide function several months ago. In that vote, it showed only 8 Per Cent of the people voted. In Hillary Heights only 76 people came to vote. That is only 4 % of the people in Hillary. If all of you had come out to vote we could have passed the resolution. We need the cooperation of you the people.

COUNCILMAN CRIDDLE: I am very happy Mr. Bloss made that statement. I am aware of the problem. When that proposition was shot down, we were right back where we started. Some of the people mentioned they did not know of this special drainage vote. They were informed that Mr. Faso went door to door in the Hillary District as did the councilman in other parts of the town. Leaflets were attached to doors explaining this proposition.

THE TOWN BOARD RECESSED AT 9:45 P.M. and RECONVENED AT 10:00 P.M.  
ROLL CALL: same as previously recorded.

THE TOWN BOARD ADJOURNED to the Adjourned Public Hearing on Woodbriar Estates Drainage District from the June 4, 1980 meeting at 10:00 P.M. and reconvened at 10:30 P.M. ROLL CALL: Same as previously recorded.

BOB CONNOLLY, BUILDING INSPECTOR AND DEBBIE VORHEIS, ZONING ENFORCEMENT OFFICER were present to discuss the situation in the Building Department.

COUNCILMAN NOWICKI: What is happening to correct the zoning violations that outstanding in the Town? There is dumping in flood plain areas, there are violations on dumpsters still in Chili Center. It is my feeling periodically we should be brought up to date as to what is happening and what the zoning enforcement officer is doing in the Town of Chili.

MR. CONNOLLY: I came here in April of 1979 as the Assistant Building inspector. We had 4 people working in the office. The Building Inspector resigned. Then the head of the Building Dept. passed away, the Zoning Officer was elected supervisor of the Town of Ogden and left us and we have worked with no more than two people in the office. At one time my clerk typist left to have a baby and she has returned as zoning officer. The whole department has changed. The clerk typist resigned the 30th day of May. I would like to request the Board make some provisions for a clerk typist for our office. We have sent out 150 letters of non-compliance to the ordinance. MRS. VOORHEIS state she is trying to re-orientate herself with the department and she cannot be out on the road part time and be clerk typist part time. Neither job then will be done correctly. SUPERVISOR POWERS stated arrangements are being made to hire another clerk typist for the department.

Corres. #214 Letter dated June 18, 1980, to Pride Mark Homes from Erdman, Anthony, Assoc. re: Woodbriar Estates Drainage District-roof drains, and Schroeder and Masc. properties confirming recent meeting.

#158 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED THAT the Woodbriar Estates Drainage District be accepted subject to the establishment of easements, monuments, and solution of drainage as discussed in the Public Hearing and stated in the letter dated 6-18-80 from Erdman, Anthony Assoc. to Pride Mark Homes. Seconded by Councilman Pikuett. Carried unanimously.

#159 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED THAT Supervisor Powers be authorized to sign AHOP agreement. Seconded by Supervisor Powers. Carried Unimously.

Corres. #215 Copy of letter dated June 5, 1980, to Gerald McDonald, Director of Pure Waters Agency, from Milton H

Nowak, 39 Chestnut Ridge Rd, advising that he is having a meter installed on his well pump to have an accurate record of his water consumption and is willing to send Pure Waters a monthly statement of his consumption.

CORRES # 216 Letter dated June 10, 1980 to Town Board of the Town of Chili from Jack B. Talsky, Vice President-General Counsel, Carrols Development Corp., re: objections to films being shown at the Rochester Drive In which are visible from their property on Scottsville Rd, and urging that the Town of Chili Town Board adopt appropriate legislation.

# 160 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED THAT a Public Hearing be set for July 16, 1980 at 9:15 P.M. for the establishment of a local law regarding objectionable films being shown at drive-in theaters. Seconded by Supervisor Powers. Unanimously approved.

Corres #217 Letter dated June 11, 1980, to Town Board of Chili from Frederick F. Kwasnik, 36 Red Bud Rd., re: storm sewer back-up which occurred on June 18, 1980, at 33 and 36 Red Bud Rd, and suggesting that the storm sewer system be lamped to determine whether or not there is any blockage.

Corres. #218 Letter dated June 12, 1980, to Supervisor Powers from Peter E. White, Resident Eng. N.Y.D.O.T., re: 1980-81 Snow and Ice Agreement.

# 161 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED THAT in pursuance of Chapter 249 of the laws of 1972, Supervisor Powers of the Town of Chili is hereby authorized to enter into an agreement with the Commissioner of Transportation of the State of New York for the performance by the Town of Chili of the work of snow and ice on the State of New York Highways, within the boundaries of the Town of Chili; a copy of said agreement being annexed hereto and made a part of. Seconded by Councilman Pikuett. Carried unanimously.

Corres #219 Letter dated June 12, 1980 to the Town of Chili, Attn: James Powers, from William C. Evans, Chief of Security, Bareham Security Agency, Inc., enclosing reports from Parks guards.

Corres #220 Letter to Carol O'Connor, Town Clerk, from Chili Fire Dept. Inc., re: additions to active list.

# 162 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED THAT upon the recommendation of the Chili Fire Dept. Inc., that the following names be added to the list of active volunteers:

Charles Cavallaro, 24 Bright Oaks Dr, Rochester 14624  
Scott G. Gorall, 51 Hubbard Dr, North Chili 14514

AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail, be so notified. Seconded by Councilman Nowicki. Carried unanimously.

Corres. #221 Notice of Claim dated June 16, 1980, to Town Clerk, Carol O'Connor, from Home H. Marks, Esq., re: Kennerson vs Town of Chili, received by certified mail on June 17, 1980; copies have been given to the Town Attorney and Insurance Counselor.

Corres. #222 Report on Animal Shelter for the year June 1, 1979 to June 1, 1980 submitted by Daniel Rose, Dog Control Officer.

- Corres. #223 Minutes of Chili Recreation and Youth Comm. meeting held on May 4, 1980, submitted.
- Corres. #224 Minutes of Chili Conservation Board Meeting held on May 20, 1980, submitted.
- Corres. #225 Letter to Chili Town Board from Deborah S. Voorheis, Build. Dept., re: refund of application.

#163 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED THAT the Supervisor be authorized to issue a check for \$15.00 to Richard Briggs, 2684 Chili Ave. for an application made to the Zoning Board in error. Seconded by Councilman Pikuet. Carried unanimously.

- Corres. #226 Request for Funds dated June 6, 1980, from Stephen Chudyk, Supt. of Hwys., re: repair of excavator at an estimated cost of \$13,000.

#164 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED THAT a Public Hearing be held to open bids for an excavator for the Highway Dept. on July 16, 1980, at 9:30 P.M. Seconded by Councilman Nowicki. Carried by the following vote: Councilman Ramsey, no; Councilman Pikuet, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, aye.

- Corres. #227 Letter dated June 6, 1980, to the Chili Town Board from Jerome Brixner, Chairman, Chili Recreation and Youth Comm., re: amendment to budget in amount of \$36,000.00. Also recommending increase in salaries for Gymnastics Instructors from \$6.00 to \$8.00 per hour.

#165 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED THAT the Recreation and Youth Comm. budget be amended to \$36,000.00 Seconded by Councilman Nowicki. Carried unanimously.

- Corres. #228 Letter dated June 11, 1980, to Supervisor Powers, from Donald J. Bergmann, Town Engineer, re: Walnut Hill Subd., Road Dedication.

#166 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED THAT upon the recommendation of the Town Engineer roads be accepted for dedication in Walnut Hills Subd. Seconded by Councilman Criddle. Carried unanimously.

- Corres. #229 Letter dated June 16, 1980, to Town Board from Stephen Chudyk, Supt. of Hwys., requesting public hearing for pick-up truck as only one bid was received June 4, 1980.

#167 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED THAT a Public Hearing be held on July 16, 1980, at 9:00 P.M. for the purpose of a replacement pick-up truck for the Highway Department. Seconded by Supervisor Powers. Carried Unanimously.

- Corres. #230 Letter dated June 17, 1980, to Town Board from Stephen Chudyk, Supt. of Hwys., requesting an additional mechanic's position for the Highway Department. Seconded by Councilman Nowicki. Carried Unanimously.

## #168 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED THAT a qualified mechanic be hired to fill the hereby authorized additional mechanic's position for the Highway Department. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #231 Letter dated June 7, 1980, to Town Board from Stephen Chudyk, Supt. of Highways, re: Lamping of drainage system in Bright Oaks and requesting authorization to rent equipment if flushing of the system is necessary.

## #169 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED THAT the Supervisor of Highways be authorized to rent equipment for lamping of the drainage system in Bright Oaks if flushing of the system is necessary. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #232 Letter dated June 17, 1980, from Stephen Chudyk, Supt. of Hwgys, requesting that the Town Engineer review the underground drainage system near Mercedes and Sequoia.

## #170 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED THAT the Town Engineer review the underground drainage system near Mercedes and Sequoia Drives and report back to the Board as soon as possible. Seconded by Supervisor Powers. Carried Unanimously.

Corres. #233 Letter dated June 17, 1980, to Town Board from Stephen Chudyk, Supt. of Highways, re: model resolution for participation in Safer Local Roads and Streets Program created by the 1979 N.Y.S. Transportation Bond Act. Town must provide \$15,852.00 which was not budgeted for.

Corres. #234 Letter dated June 18, 1980, from Stephen Chudyk, Superintendent of Highways, re: rental of uniforms for Highway Personnel at an estimated weekly cost of \$96.00.

Corres. #235 Copy of letter dated June 12, 1980, to the Town of Chili Fire Marshall from Edward Maher, Deputy Chief, Chili Fire Dept., Inc., requesting an inspection of Case Hoyt with regard to storage of solvents.

Corres. #236 Certification of Eligibles from the Monroe County Civil Service comm. for Clerk/Typist.

## #171 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED THAT Kathleen McGuckin, 55 Sharon Dr. Rochester, N.Y. be appointed as Clerk/Typist for the Recreation Dept. subject to a six month probationary period, to be paid at the rate of \$4.17 per hour plus \$17.00 per Recreation Comm. Meeting attended. Defeated for lack of a second.

## #172 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED THAT June Vixon, 31 Ridgefield Dr. Churchville N.Y. be appointed as Clerk/Typist for the Building Dept. effective June 30, 1980, to be paid an annual salary of \$7,700.00, subject to a six month probationary period. Seconded by Councilman Nowicki. Carried Unanimously.

## #173 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED THAT the following abstracts as prepared by the

Town Clerk, Carol O'Connor, be approved and bill paid as rendered:

|                               |             |
|-------------------------------|-------------|
| General Fund Vo. Nos. 698-771 | \$24,993.29 |
| Highway Fund Vo. Nos. 339-376 | 26,337.02   |

Seconded by Councilman Nowicki. Carried Unanimously.

Conres.#237 Letter from Erdman Anthony Assoc., Town Engineer, recommending final payment be made to William C. McCombs, Inc. builders for repairs to the Town Hall and Library roof.

#174 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED THAT final payment be made to the William C. McCombs, Inc. for repairs made to the Town Hall and Library roof per the recommendation of the Town Engineer, Erdman Anthony Assoc., Seconded by Councilman Ramsey. Carried Unanimously.

#175 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED THAT \$3000.00 be transferred from Contingent to Parks Contractural Account for the Henderson Property. Seconded by Councilman Pikueta. Carried Unanimously.

COUNCILMAN RAMSEY asked about weight limit signs on Archer Road and if they have gone up yet. SUPERVISOR POWERS will check into it.

COUNCILMAN PIKUET requested the following resolution.

#176 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED THAT a Public Hearing be set for July 16, 1980 at 9:45 P.M. for a Local Law regarding minibikes. Seconded by Councilman Ramsey. Carried Unanimously.

COUNCILMAN PIKUET requested an arrow sign on the curve on Chestnut Ridge Road. SUPERVISOR POWERS will call the County tomorrow.

COUNCILMAN CRIDDLE asked if any word was heard on when the County will take care of ditches on Chestnut Ridge Rd. SUPERVISOR POWERS will check in with the County. COUNCILMAN CRIDDLE asked about the Henderson Property and MR. BERGHANN will follow through on it.

JEROME BRIXNER, 14 Hartom Rd. asked about paving a portion of Sequoia Dr. into Ranchmar Park. SUPERVISOR POWERS told Mr. Chudyk to oil and stone it.

#177 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED THAT the Town Board deny the rezoning request of Mr. Cutaia to rezone the property at 2575 Chili Ave. from RA-10 to C-2. Seconded by the Councilman Nowicki. Carried by the following vote: Councilman Ramsey, Aye; Councilman Pikueta, No; Councilman Nowicki, Aye; Councilman Criddle, No; Supervisor Powers, Aye.

Meeting adjourned at 1:00 A.M.

Town Clerk, Carol O'Connor

PUBLIC HEARING  
June 18, 1980

*Re-zoning 2575 Chili*

A Public Hearing was held by the Town Board, Town of Chili, at 8:30 P.M. in the Chili Administration Offices, 3235 Chili Ave. Rochester, N.Y., 14624. The hearing was called to order by Supervisor Powers.

ROLL CALL- same as previously recorded.

FRANK IACOVANGELO, Atty.: I appear on behalf of Mr. Charles Cutaita. He is the present owner of the property located at 2575 Chili Ave. and wishes to use that property as it had been used in the past, as Carl's Nursery, with the addition of a few groceries in line with a farm market situation. The particular lot is irregular. It is right on the Gates Town Line with Chili. This property would not require variances. The building is in a residential zone. Directly to the East, there is property owned by the Dept. of Trans. where the expressway will continue. There will be no further development across from the property for there is the expressway. To the west, there are easements, one owned by the Rochester Gas and Electric Corp., and one by the Niagara Mohawk. You have an industrial easement running along the side of the property to the west and there can be no development there. On the other side of those easements, there is a church. Around this site, there is no residential development at all. The closest is at the opposite corner where there are two houses, but immediately behind those are the Lee Garden Apartments. This has been used as commercial where they have sold nursery and garden supplies and that was the use. It was used as a small farm market. The building is not that large so there cannot be a large amount of indoor supplies. Carl did sell some beverages and small food items, beer and milk and small tractors. We are asking for a C-2 zoning because under the present ordinance, the uses directly aligned with this property are outlined in the C-2 zone. Is the rezoning going to change the character of the neighborhood? Because this has been a nursery for so many years, the neighborhood developed around it. There will be no change in the character of the neighborhood. He is going to use it as it was used for the last 15 to 20 years. That area should have been rezoned before. It is in an area where there is other commercial. In Gates, not more than one third mile, both on the right and left side of the road, there are commercial establishments. This will not be disruptive of what the neighborhood really is or what the ordinance wants. Does it effect the value of residential houses in the neighborhood? No, because the closest residential area is 1000 feet to the west at Lexington. The business will not create any more nuisance than a small retail establishment. No noise, chemicals, smells; It will not be dangerous to anything in the surrounding area. This parcel really isn't conducive to a residential zone. It is point 8 acres and you would have to remove the existing structure to put house on it. The value of the property has increased due to the previous use, and it would be feasible to use as a residential area. We brought along pictures of the traffic pattern. It was very well planned. The expressway has lights, the Chili Ave. has lights, and other traffic is stopped. West Side Dr. into Chili Ave. flows into the area with all other traffic stopped. There is no problem with ingress or egress. The use has been there. It is a good use for that location.

SUPERVISOR POWERS: Does Mr. Cutaita want to go into a greater variety in the future with groceries?

MR. IACOVANGELO: He has a good meat business and presently owns a store on Chili Ave. in the City. He may want to relocate that to this part of town some future time, but he is not contemplating that now. He is going to continue this as a Garden Supply Center.

SUPERVISOR POWERS: What about Fall?

MR. IACOVANGELO: Groceries, pop, beer and a delicatessen operation.

SUPERVISOR POWERS: Won't traffic block driveway if it is stopped at the signal light?

MR. IACOVANGELO: No, not at all.

COUNCILMAN NOWICKI: Is that Godman's property to the North?

MR. IACOVANGELO: It is the Department of Transportation Property.

COUNCILMAN NOWICKI: You mentioned Goldman's property at the Planning Board hearing. Where is that?

MR. IACOVANGELO: Directly to the rear of the building. The 216 dimension. Southeast of the property.

COUNCILMAN NOWICKI: At the Planning Board, you were questioned on a C-1 zone?

MR. IACOVANGELO: The C-1 applies to neighborhood grocery stores. There are only 4 uses in the C-1. The C-2 is general commercial. Garden supplies and small machinery in the C-2 zone is more in line with that location. It isn't really a grocery business. If you want a gas station, you wouldn't put it into a C-1 with a conditional use. It isn't practical. You have to look to the exact use for that property and it is going to be used for this. We are here because we were told this property had not been continuous in use. We thought the use was continuing. The use was discontinued according to the Town and we really don't want to argue the point. We just want to use it as it was before. The property does comply to the zoning ordinance. Gardening supplies are in C-2.

COUNCILMAN PIKUET: Will Mr. Cutaia raise nursery stock on the premises?

MR. IACOVANGELO: yes, he will plant trees on the site. The existing stock has to be put into the ground at the end of the season.

COUNCILMAN PIKUET: Carl had quite a substantial amount of fire wood as a business; is that Mr. Cutaia's intention, to run a chain saw or that which might be an irritant to the neighbors?

MR. CUTAIA: I am going to buy already cut. Does he have permission to use easements to the west?

MR. IACOVANGELO: No.

COUNCILMAN CRIDDLE: Does he have any intentions of expanding the operation by acquiring more property to the southeast if possible?

MR. IACOVANGELO: For the size of the operation, Mr. Cutaia wants there, it is plenty large enough. That is not to say he won't try to acquire more land if business booms.

SUPERVISOR POWERS: Has he approached Mr. Goldman at all to purchase land?

MR. IACOVANGELO: No.

COUNCILMAN NOWICKI: Is he presently using the easements to store material?

MR. IACOVANGELO: No. We are trying to determine where the lot line exactly ends.

COUNCILMAN CRIDDLE: Is he having a formal surveyor to put monuments in?

MR. IACOVANGELO: No. He plans on doing that now.

COUNCILMAN NOWICKI: You said before at the Planning Board that part of the property could be condemned by D.O.T. for the expressway.

MR. IACOVANGELO: The property owned by D.O.T. is so undefined that they may require some of this lot which comes into Chili Ave. That expressway design is not really well defined.

June 18, 1980

Mr Supervisor and Members of the Town Board.

I wish to ask the Town Board to consider this application on the merits of this hearing. The Chili Planning Board on May 12, 1980, in fact, approved this Application unanimously. This fact gives you as individual members of the Town Board justification for doing the same. But, I suggest to you that there are serious errors of co-mission and omission in the reported written testimony from the Planning Board.

Error number 1 --- perhaps minor but the Name of the previous owner of the property in question is Minoia spelled M I N O I A not M A N O Y A as recorded at least four times in the transcript.

Error number 2 as I see it. Both the Vice Chairman and the Chairman of the Planning Board make general comment during the questioning that seem to question the need to go from RA -10 to C-2 -- since the C-1 category with a conditional use was permitted.

During the audience questioning, I am on record with the Statement " I would go along with the Planning Board for a C-1 use with a conditional use instead of the C-2."

What is in error I believe is the final statement "That no one spoke in favor of, or in opposition to the above application" because I believe as an individual I was speaking against the application in a C-2 format.

Finally -- the most important facet-- nowhere in the transcript is the statement which I heard one member make, that paraphrased, we might as well pass it on to the Town Board because it is their decision nor do I read the statement of a Planning Board member who wondered out loud to his colleagues, What do conditions ect. cost the Applicant in his application...

It is the law of our Community that the Citizens of our Town have the right to speak their minds and to work for a living environment that makes it beneficial to them as individuals. If our Town's leaders remove the options of our town's people to have an exercise over the use of adjacent properties then, I believe, living in Chili suffers just that little bit.

(2)

I refer to the Zoning Law. Under Section 3.060 Neighborhood Commercial District C-1 from Article 3 Use Districts: specifically Under 3.062 Permitted Uses are Grocery Stores. Under Section 3.063 Conditional Uses section (e) are "uses of a similar character but not specifically listed in 3.062 or 3.063 may apply to the Planning Board for a conditional use permit. Such permits shall be granted upon a finding by the board that said use is indeed of the same general character of the permitted uses" and I suggest a garden supply store could well be considered same.

Control of the use of this property would then remain in the hands of the Town to protect, if necessary, the property conditions of the land.

I petition the Town Board to deny this Application as proposed.

Sincerely,

*Jerome F. Brixner*  
Jerome F. Brixner  
14 Hartom Road

DON MEE, 9 Lexington: My concern is that some property will be acquired to the south east and if you grant a C-2, they may use the to zone additional land to C-2 and create a large mall or something. C-1 with conditional use would not give him leverage on expanding to the east.

MR IACOVANGELO: The frontage on Chili Ave. is only 82 feet. Any other development would require a substantially larger access than 82 feet. Any future expansion would have to come before this Board anyway. Due to the shape of the parcel and frontage, that isn't a very realistic concern. This is close to Mr. Cutalia's home and he plans to run it as a neighborhood store.

BERNICE ROTOLI, 2648 Chili Ave.: I am the only house in the area, directly across the street. We are not the Lexington Subd. My concern is I get enough crap on the corner and maintain all that, in the future, what could that turn into? You could have a small bar there. It is really not that easy to get in and out of there.

ARTHUR SPUNCK, 2650 CHILI AVE.: There are 4 houses bordering that property and he only mentioned 2 before. I would rather see a C-1 than a C-2. I don't want people over there in any occupation.

BETTY BARTOK: The land to the south is in the airport overlay district 2. This sorely limits the uses to which the land can be put. It is not possible to put shopping plaza in there with a 14 person limit per acre in the area. This was one of the things the Planning Board looked at when we considered the C-2 and why we didn't press for the C-1.

\* JEROME BRIXNER, 14 HARTOM RD.: submitted his copy of his statement to the Board. A copy of which is attached to these minutes.

COUNCILMAN NOWICKI: What would be the owners feelings to amending his application to a C-1?

MR. IACOVANGELO: The C-1 is really side stepping the ordinance.

MR. NOWICKI: Would he be just as satisfied with a C-1 if this was turned down?

MR. IACOVANGELO: No. With a C-2 you can get into variety with the garden center. He would be severely limited with a conditional use and may be revoked and it also has to be reviewed. The functions of this property include grocery. The required zoning for this is a C-2.

SUE NEAF, 9 LEXINGTON PARKWAY: Can any C-2 use go in here without approval from the Town Board?

SUPERVISOR POWERS: They have to come before the Board if there is a drastic change in use.

MR. IACOVANGELO: If they want to alter the building in any way they have to come in for site approval.

COUNCILMAN NOWICKI: I would like council to make a statement on this. All they would have to do is go to the Planning Board for site plan approval.

MR. KELLY: Once this is C-2, it can have restaurants, bowling alleys and that.

MR. IACOVANGELO: That is true, but it is limited due to the size of the lot and access.

TOM WARD, 43 FENTON RD.: The Zoning Ordinance does provide that any change in use alteration and new uses, have to go back to the Planning Board for review, Number 2, that is in the airport zone and there is airport considerations involved. A bar or bowling area would not be approved with the County due to the high intensity of people. That is another control you do have.

The hearing was closed at 9:20 P.M.

Town Clerk, Carol O'Connor



1  
2  
3

A D J O U R N E D P U B L I C H E A R I N G  
June 18, 1980

An adjourned Public Hearing was held by the Chili Town Board, Town of Chili, on June 18, 1980, at 10:00 P.M. to hear the establishment of the Woodbriar Estates Drainage District, in the Chili Administration Offices, 3235 Chili Ave., Rochester, N.Y. 14624. The Hearing was called to order by Supervisor Powers.

ROLL CALL: Councilman Ramsey, Councilman Pikueta, Councilman Nowicki, Supervisor Powers.

ALSO PRESENT: Mrs. O'Connor, Town Clerk, Mr. Kelly, Town Atty. Mr. Vail, Ins. Counselor, Mr. Bergmann, Town Engineer, Mr. Chudyk, Supt. of Highways.

SUPERVISOR POWERS: Mrs. Schroder is concerned she will have additional water on her property.

JAMES BARBATO: We have graded lot 1 so there will not be any additional water. We are draining with swails and when we do grade in there, it will probably relieve her situation somewhat.

SUPERVISOR POWERS: Wasn't that graded higher than it was suppose to be?

MR. BARBATO: No.

COUNCILMAN NOWICKI: It is stated in the minutes I have that the finished pad was two feet higher than it was suppose to be.

MR. BARBATO: I didn't realize there are any restrictions on the elevation of the house. We have a minimum grade there. The finished floor is to be at least one foot level above West Side Drive, but there is no restrictions as to the height of the floor.

COUNCILMAN NOWICKI: The highest contour on lot 1 is 589. Is that today the same?

MR. BARBATO: It is indicated on there.

MR. BERGMANN: It shows what would be constructed. If you were to raise that elevation, you would have to regrade.

COUNCILMAN NOWICKI: What is on this map is what is suppose to be built. If the finished grade is higher, than you have got a problem.

MR. BARBATO: It was staked out and it is two feet higher than what I had intended. Because it is higher, I really don't feel it will cause any additional runoff to the adjoining properties. We are grading the lot to contain it within that property. None of it will be flowing to the adjoining property.

COUNCILMAN NOWICKI: Why did you raise it two feet?

MR. BARBATO: There was an error made. Right now, we still have a very happy prospective homeowner.

COUNCILMAN NOWICKI: What have you done with lot 2? Is that as proposed on the map?

MR. BARBATO: That will be according to the map.

COUNCILMAN NOWICKI: Would we expect all the lots to be built according to the plan?

MR. BARBATO: Yes.

SUPERVISOR POWERS: Is there a linen available for signature?

MR. BERGMANN: I probably have one of the final drawings. It is not signed.

SUPERVISOR POWERS: On lots 6 through 10, there was a question brought up on the easement.

MR. BERGMANN: I don't have an objection to an easement, but I am not sure that would be necessary.

MR. KELLY: We would like the access easements anyway.

COUNCILMAN NOWICKI: There is a swail one third the way up lots 8 and 9 and 10.

MR. BERGMANN: I have no objections, but there is not really a need for a defined swail along there. It is not a defined swail in the rear of those yards.

SUPERVISOR POWERS: Did you make a cut into West Side Dr. for drainage?

MR. BARBATO: Yes.

SUPERVISOR POWERS: Do we have an easement for that pipe, 12 inch pipe?

MR. BARBATO: Yes.

SUPERVISOR POWERS: I want monuments put on there.

MR. BARBATO: They are putting them in now. Now that all the shaping and regrading has been done, they can put them in.

COUNCILMAN NOWICKI: We asked Mr. Bergmann if it was possible that your engineers would write a letter to this Board.

MR. BERGMANN: They did. Jim has a copy for the Board. He has been instructed to swail so water from the side of lot 1 will travel to the southeast away from the Schroeder property. Roof leaders will go in to the front and rear and not on the Schroeder property. It is impractical to rip out the trees for a ditch. The water in there does not drain toward the Schroeder's the area is low. There is no water that will come over to the easement area. It is low to the rear of her yard.

MR. BARBATO: What is going to happen is, because we are taking away the standing water from our property, it is going to relieve the buildup that she will have from hers. Hers can drain to ours.

SUPERVISOR POWERS: The letter from Mr. Barbato's engineer is to be entered into the record. Do you intend to do anything between lots 10 and Pixley rd.?

MR. BARBATO: Eventually, yes.

COUNCILMAN NOWICKI: Did the engineer who prepared these drawings submit calculations on storm drainage to you?

MR. BERGMANN: Yes he did.

COUNCILMAN NOWICKI: What storm is this designed for?

MR. BARBATO: A 25 year storm. We looked for flooding at 25 year storm condition. It was over a 25 year storm to over top embankment.

COUNCILMAN PIKUET: Would you explain the use of the straw dam?

MR. BARBATO: Until the grass grows, it is to prevent erosion or the pipe will fill up.

COUNCILMAN RAMSEY: That is all temporary?

MR. BARBATO: Yes. After the grass takes, we won't get any soil erosion.

MR. KELLY: If any additional land is developed, where would the water go?

MR. BERGMANN: If not retained on site, it would flow across Pixley Rd. behind the church. To the east. Then to the south eventually.

SUPERVISOR POWERS: It goes behind Virginia Lane.

COUNCILMAN PIKUET: How much distance is there from the rear lot lines to the church?

MR. BARBATO: 400 feet.

COUNCILMAN PIKUET: Is that mostly low?

MR. BARBATO: It falls off to the south. The rear lot lines are the high points. It then falls off to the south.

MR. KELLY: You own all the land adjoining this?

MR. BARBATO: Right.

COUNCILMAN CRIDDLE: The west boundary line is a street extension to the church?

MR. BARBATO: That lines up with Marshall Rd. extension.

COUNCILMAN NOWICKI: What are they going to use under the driveways?

MR. BARBATO: This is culvert, 12 inch pipe.

COUNCILMAN NOWICKI: These are common driveways on all the lots?

SUPERVISOR POWERS: Yes.

COUNCILMAN RAMSEY: Do you have future plans for lots south of this?

MR. BARBATO: Yes, eventually. There would be access from Wincrest.

MR. BERGMANN: Did Councy ask you to provide dual driveways?

MR. BARBATO: Yes. We proposed that to them and they approved it. Each can maintain his own and we are providing the turn around so they won't have to back out on West Side Dr.

COUNCILMAN NOWICKI: There will be a strip of grass between each driveway?

MR. BARBATO: Yes.

MR. KELLY: Can we obtain the additional easements?

MR. BARBATO: Yes. It doesn't matter to me at all. I have no objections to that all.

SUPERVISOR POWERS: Could we have a letter from him that the monuments are to be placed and you can check them out Don?

MR. BERGMANN: Yes.

JEROME BRIXNER, 14 HARTOM RD. : How would he rid the south portion of water if he ever develops it?

MR. BARBATO: There will always be some standing water there and exactly how it would be controlled there would require engineering studies. We will loop around a road in there and not turn these lots here at all.

COUNCILMAN NOWICKI: Regrading of that future land area will not effect this 12 inch pipe?

MR. BERGMANN: No. We won't allow any more water in there.

MR. CONNOLLY, 10 Fenton Rd., Lot 1 is the only lot with a Building Permit issued and that was on advice of our attorney. There was a considerable amount of water on the early excavations. It was my advice to put in fittings and he has drain tile inside, and out. I notice the cellar looked high so I immediately called the engineer.

The Hearing closed at 10:30 P.M.

Town Clerk,  
Carol O'Connor

T O W N B O A R D  
July 16, 1980

A meeting of the Town Board of the Town of Chili, was held on July 16, 1980 at the Chili Administration Offices, located at 3235 Chili Ave. Rochester, N.Y. 14624. The meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk, Carol O'Connor, and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Nowicki, Councilman Criddle, Supervisor Powers.

ALSO PRESENT: Mrs. O'Connor, Town Clerk; Mr. Kelly, Town Atty.; Mr. Bergmann, Town Eng.; Mr. Vail, Ins. Counselor.

The Minutes of the Town Board Meeting held on June 4, 1980 were amended and approved as amended.

MR. CHARLES SCHMIDT, 40 HITREE LANE: The water in the Bright Oaks Ditch is down quite a bit at this time. We would like to contact the contractor to keep his eyes open and finish the job as he was going to do. The culvert under Hitree is full of mud and if that could be flushed out, it would be a job well done.

JEAN PHILLIPS, 80 BALLANTYN ROAD expressed her disappointment that Dr. McDonald did not appear again tonight. She believes a letter should go to Lucian Morin, County Manager on this. She doesn't believe he would do this in Pittsford, Perinton, or Brighton.

CORRES. #238 Letter dated July 2, 1980, to Carol O'Connor, Town Clerk, from Winsor D. Ireland and Barbara M. Ireland, 268 Archer Rd. stating that they have no objection to Peter Denigris of 254 Archer Rd. housing horses on his property.

CORRES. #239 Letter dated July 10, 1980 to Town Board from Mr. and Mrs. Sczeponski, 888 Marshall Rd., in support of Local Law, re: Mini Bikes.

CORRES. #239 Letter dated June 16, 1980 to Carol O'Connor, Town Clerk, from D.C. Powell, Reg. Traffic Eng. NYSDOT re: speed limit on route 259.

CORRES. #241 Copy of letter to Mrs. Terri Albanese, 2296 Westside Dr. from D.C. Powell, Reg. Traffic Eng. NYSDOT. re: study for need of a 3 color traffic signal at Buffalo Rd. and Westside Dr. and denying the request.

CORRES. #242 Notice of claim from Morris and Morris, re: Duritza vs County of Monroe, etal, received June 26, 1980; copies have been given to the Town Attorney and Insurance Counselor.

CORRES. #243 Copy of letter dated June 26, 1980 to Richard Bolte, Monroe Co. Traffic Engineer from C.D. Powell, Reg. Traffic NYSDOT re: study for need of 3 color signal light at Chili Ave. and Chestnut Ridge Rd. and stating they have found no need for such.

CORRES. #244 Copy of letter to William Kelly, Esq. dated June 30, 1980 from Mary Versprille, editor, General Code Publishers Corp. re: revised copy of proposed local law to adopt the Town of Chili code.

#178 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED THAT a P.H. be held on August 13, 1980 at 8:30 P.M. for the adoption of the Town of Chili Code. Seconded by Councilman Criddle. Carried unanimously.

CORRES. #245 Letter dated July 3, 1980 to Supervisor James

*Gates-NEWS-Chili*

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....7-10-80.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE  
PUBLISHED IN THE

**GATES-CHILI NEWS**

Issue Dated.....7-2-80.....

*Geraldine C. Snyder*  
.....  
Notary

**GERALDINE C. SNYDER**  
NOTARY PUBLIC, State of N. Y. Monroe Co.,  
My Commission Expires March 30, 1981

*Patricia M. Smith*  
.....  
Patricia M. Smith  
Publisher

# Legal Notice

PLEASE TAKE NOTICE that there will be a Public Hearing by the Town Board of the Town of Chili at the Town Hall, 8236 Chili Ave. on Wednesday, July 16, 1980 at 9:15 P.M. to consider the adoption of Local Law #1 of 1980 for the Town of Chili, Monroe County, State of New York, concerning THE REGULATION OF MOTION PICTURE EXHIBITIONS NOT COMPLETELY ENCLOSED FROM PUBLIC VIEW.

TOWN OF CHILI LOCAL LAW#1, 1980. A Local Law prescribing the regulation of motion picture exhibitions not completely enclosed from public view.

BE IT ENACTED by the Town Board of the Town of Chili as follows:

**Section 1. Title.**  
This Local Law shall be known as, and may be cited as "Local Law #1 of the year 1980, regulating motion picture exhibitions not completely enclosed from public view."

**Section 2. Legislative Intent.**  
It is hereby declared the policy of the Town of Chili, State of New York, that in order to preserve the public peace and good order; and to safeguard the health, safety, welfare and morals of its citizenry and its youth within the incorporated area of the Town of Chili, it is necessary to regulate and control the operations and conduct of motion picture theatres, or the like; and such places of public assembly for the outdoor exhibition of motion pictures, so as to fix certain responsibilities and duties of persons owning, operating or controlling such establishments.

**Section 3. Definitions.**  
**A. Motion Picture Exhibitions.** Any room, place or space which is occupied or arranged to be occupied for viewing motion pictures from an audience area whether indoors and/or outdoors, requiring occupancy or classification

as determined by the appropriate enforcement officer; and for places of public assembly used for the purpose of exhibiting motion pictures upon a screen generally visible to an audience.

Public assembly or assembly where used herein shall have the same or similar meaning as in other code ordinances, rules and regulations of the Town.

**B. Person.** An individual, partnership, club, association or society, or any other organized group of persons which shall include officers, directors, shareholders and trustees of a club, corporation, society or association.

**C. Sexual Conduct.** Human masturbation, sexual intercourse, actual or simulated, or any touching of the genitals, pubic area or buttocks of the human male or female, or the breasts of the female, whether alone or between members of the same sex or opposite sex or between humans and animals in an act of apparent sexual stimulation or gratification.

**D. Sado-Masochistic Abuse.** Flagellation or torture by or upon a human being who is nude or clad in undergarments or revealing or queer costume, or the condition of one who is nude or so clothed and is being fettered, bound, or otherwise physically restrained.

**Section 4. Prohibited Operations.**

It shall be unlawful for any person conducting, maintaining or operating a motion picture exhibition within the Town of Chili to exhibit or suffer or permit to be exhibited any motion picture in which any person is shown, depicted, or revealed in any act of sexual conduct or sado-masochistic abuse in any outdoor theatre where the screen is visible beyond the limits of the audience area to a person

no age of seventeen years or any other person to whom such motion picture may be readily seen or the contents of character which may be perceived without unaided vision by a person viewing it from said limits of the audience area.

shall be guilty of a violation punishable by a fine not exceeding two

Hundred Fifty Dollars (\$250.00), or imprisonment for a period not to exceed fifteen (15) days, or both. Each days continued violation or each such individual viewer shall constitute a separate violation for the purpose of conferring jurisdiction, etc.

Section 6. Effective Date.  
This Local Law shall take effect immediately.  
Dated: July 2, 1980  
Carol O'Connor, Town Clerk

J. Powers from Charles R. Canan, First Deputy Dir. of Finance County of Monroe, re: submission of claim for State aid for ARLM module of the N.V.S. Real Property Information System and requesting that a letter of agreement be signed by the Town of Chili.

#179 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED THAT Supervisor Powers be authorized to sign a letter of agreement authorizing the County of Monroe to apply for State Assistance for a System for the preparation of Assessment Rolls, Tax Rolls, and Tax Bills, under sub. (c) and (E) Par. 1, Sec. 1572 of article 15-B of the Real Property Tax Law on behalf of the Town of Chili. Seconded by Councilman Nowicki. Carried unanimously.

CORRES: #246 Letter dated July 3, 1980 to Town of Chili from Sheila Johnson, Claim Representative, The Hartford, re: estimate for damages done to Highway Garage overhead door in the amount of \$6,990.87 and requesting that the Town Board vote on whether or not to accept this settlement.

#180 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the estimate of \$6,990.87 be accepted from the Hartford for damages done to the overhead door of the Highway Garage provided a contract be submitted by contractor stating he will do the work for that stated amount of \$6,990.87. Seconded by Supervisor Powers. Carried unanimously.

CORRES: 247 Letter dated July 7, 1980 to Supervisor James Powers and Councilman from J. Norman Vail, Ins. Counselor, and Parade Marshall, Clifton Fire Dept. Inc. requesting use of the flat bed and inviting the Board Members and the Town Clerk to participate in the parade in Clifton on August 1, 1980.

#181 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED THAT the Clifton Fire Dept. Inc., be given permission to use the Highway Department's flatbed trailer for their annual parade to be held on August 1, 1980, and be it further RESOLVED that a Hold Harmless clause be provided to the Town. Seconded by Councilman Pikueta. Carried Unanimously.

#182 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the Clifton Fire Dept. Inc. shall be required to provide the Town of Chili with a \$1,000,000 liability coverage and a Hold Harmless Clause naming the Town of Chili to cover the night of their annual parade and carnival, August 1 and 2, 1980. Seconded by Councilman Criddle. Carried Unanimously.

CORRES. # 248 Letter dated July 10, 1980, to Town of Chili from Bernard Iacovangelo requesting a Public Hearing for rezoning of property located at 2575 Chili Ave. from RA-10 to C-1.

## #183 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that a Public Hearing be held on August 13, 1980 at 8:45 P.M. for the purpose of hearing discussion on the proposed rezoning of property located at 2575 Chili Ave. from RA-10 to C-1 AND BE IT FURTHER RESOLVED that the applicant, Charles Cutaia, shall reimburse the Town for the cost of legal notices. Seconded by Councilman Ramsey. Carried Unanimously.

- Corres. # 249 Notice of Hearing received July 14, 1980 re: Town of Chili Unit of Monroe County Local CSEA and Town of Chili, case No. 2090, advising that a hearing will be held on 9 P.M. on August 19, 1980, at PERBS Buffalo office on the matter.
- Corres. #250 Fire Marshall's reports submitted for January and February and March of 1980.
- Corres. #251 Minutes of Regular Chili Library Board of Trustees held May 28, 1980 submitted.
- Corres. #252 Chili Dog Control Officer report for mont of June 1980.
- Corres. #253 Application for New York State Animal Control Officer's Training School to be held at Cornell University August 3-8, 1980.

## #184 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Daniel Rose, Dog Control Officer, be authorized to attend the N.Y.S. Animal Control Officer's Training School to be held at Cornell University August 3-8, 1980, expenses to be paid by voucher as incurred, AND BE IT FURTHER RESOLVED that the Supervisor be authorized to issue a check in the amount of \$150.00 for advance registration for the school. Second by Councilman Nowicki. Carried Unanimously.

THE Town Board was adjourned to a Public Hearing at 8:30 P.M. and reconvened at 8:59 P.M.

Roll Call: same as previously recorded.

The Town Board was adjourned to a Public Hearing at 9:00 P.M. and reconvened at 9:05 P.M. Roll Call: Same as previously recorded.

Corres. #254 Letter dated June 20, 1980, to James J. Powers, from Erdman, Anthony, Assoc., re: Henderson Park- request for payment No. 2 recommending payment in the amount of \$6,291.00.

Corres. #255 Letter dated July 14, 1980, to James J. Powers, Supervisor, from, Erdman, Anthony Associates re: Henderson Park- request for Payment No. 3, and recommending payment in the amount of \$4,325.00.

## #185 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$11,016.00 from the Federal Revenue Sharing Account to Speer and Henderschott for payments of 2 and 3 for work done on the Henderson Property, based upon the recommendation of the Town Engineer. Seconded by Councilman Ramsey. Carried Unanimously.

The Town Board was adjourned for a Public Hearing at 9:15 P.M. and reconvened at 10:15 P.M. Roll Call: Same as previously recorded.

The Town Board recessed at 10:15 P.M. and reconvened at 10:30 P.M. Roll Call-Same as previously recorded.

The Town Board adjourned at 10:30 P.M. to a Public Hearing and reconvened at 10:35 P.M. Roll call: same as previously recorded.

The Town Board adjourned at 10:35 for a Public Hearing and Reconvened at 11:45 P.M.-Roll Call: Same as previously recorded.

- Corres. #256 Copy of letter dated June 23, 1980, to Earthborn Builders, Inc. from Carol O'Connor, Town Clerk, re: Hold Harless Clause for the Town for a sign located on right of way on Parkway Drive and Union Street.
- Corres. #257 Copy of letter from Stephen Chudyk, Supt. of Hwgy's, replacement of 1969 3 wheel Gallon roller at an estimated cost of \$40,000.00.
- Corres. #258 Request for Funds dated July 11, 1980, from Stephen Chudyk, Supt. of Hwgy's. re: purchase of 3 replacement 2-way radios for vehicles at an estimated cost of \$3,500.
- Corres. #259 Memo dated July 7, 1980 to Supervisor Powers, and Board Members, from Carol O'Connor, Town Clerk, re: Bingo License.

#186 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Carol O'Connor, Town Clerk, is hereby authorized to issue Bingo License #3042 to the Clifton Ladies Auxilery of Clifton, N.Y. to hold Bingo games on August 1 and 2 of 1980. Seconded by Councilman Criddle. Carried Unanimously.

- Corres. #260 Request for funds dated July 8, 1980 from Stephen Chudyk, Superintendent of Highways, re: purchase of trailer for transportation new paver at an estimated cost of \$9000.00.

#187 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that a Public Hearing be held on August 13, 1980 at 9:P.M. to open bids for purchase of trailer for transportation of new paver for the Highway Department.

Seconded by Supervisor Powers. Carried Unanimously.

- Corres. #261 Memo dated July 8, 1980 to the Supervisor and Town Board Members from Carol O'Connor, Town Clerk, re: Postage.

#188 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$1000. to R.M.R.S. Systems for additional postage on the postal meter. Seconded by Councilman Pikueta. Carried Unanimously.

- Corres. #262 Letter dated July 10, 1980 to Chill Town Board from Jerome Brixner, Chairman of Chill Recreation and Youth Comm. re: Joyce Murphy.

#189 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Joyce Murphy be appointed Clerk/Typist for the Recreation Dept. subject to a six-month probationary period, AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to return the Certification of Eligibles to the Civil Service Comm.. Seconded by Councilman Nowicki and carried Unanimously.

#190 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Joyce Murphy, Clerk/ Typist for the Recreation and Youth Comm. be paid at the rate of \$4.62 per hour effective with the next payroll period. Seconded by Councilman Nowicki Carried by the following vote: Councilman Pikueta, aye; Councilman Councilman Ramsey, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers No.

Corres. #263 Letter dated July 10, 1980 to the Town Board from Stephen Chudyk, Superintendent of Highways, re: matching funds projects and requesting that a resolution be adopted accordingly.

#191 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the Town of Chili participate in the matching funds program for 1981 as per request of the Supt. of Highway, Stephen Chudyk.

Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #264 Letter dated July 10, 1980, to Town Board from Stephen Chudyk, Superintendent of Highways, re: easement and ingress and egress rights over railroad property to allow erecting a culvert barricade in Hillary Heights and funding for the project.

Corres. #265 Letter dated July 10, 1980 to the Town Board from Stephen Chudyk, Supt. of Highways, re: appointment of a fire coordinator for release of highway Dept. equipment and operators aiding fire fighters.

Corres. #266 Letter dated July 15, 1980 to the Town Board from Stephen Chudyk, Supt. of Highways. re: purchase new packer.

Corres. #267 Letter dated July 15, 1980 to Supervisor Powers, from Graham E. Chamberlain, Dir. of Street Lighting, Rochester Gas and Electric advising that street lighting changes have been completed on Westside Dr. from Whittier Rd. to Buffalo Rd.

Corres. #268 Memo dated July 7, 1980 to Supervisor Powers and Town Board Members from Carol O'Connor, Town Clerk, re: resolution recommended by the State of N.Y. Education Dept. regarding the disposition of local records.

#192 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the Town Board of the Town of Chili that Records retention disposition schedule No. 19-TC-1 issued pursuant to part 195 Title 8 of the Official Compilation of Codes, Rules, and Regulations of the State of New York and containing minimum legal retention periods for town records is hereby adopted for use by the Town of Chili Town Clerk. BE IT FURTHER RESOLVED that this Board hereby authorizes the disposition of records in accordance with the minimum legal retention periods set forth in records. Retention and Disposition Schedule No. 19-TC-1. AND BE IT FURTHER RESOLVED THAT the Town Clerk is hereby directed to furnish a certified copy of this resolution to the Commissioner of Education. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #269 Report submitted by Supervisor Powers on Supervisors and County Legislators conference held in Niagara Falls N.Y. June 29-July 2, 1980.

Corres. #270 Letter from Erdman and Anthony Associates recommending release of monies for Norry Co. (Frito Lay)

#193 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that monies be released to the Norry Co. (Frito Lay) per the recommendations of the Town Engineer. Seconded by Councilman Pikueta. Carried Unanimously.

#194 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

## RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED THAT the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                               |             |
|-------------------------------|-------------|
| General Fund Vo. 772-867      | \$25,887.97 |
| Highway Fund Vo. 377-441      | 29,001.03   |
| Bright Oaks Drain Vo. 1       | 69.24       |
| Combined Drain. Dist. Vo. 6-7 | 203.55      |
| Hillary Drain. Dist. VO. 7-9  | 668.96      |

Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #271 Letter dated July 10, 1980, to the Town Board from Mr. and Mrs. Szponski, re: approval of Local Law regarding minibikes.

SUPERVISOR POWERS recognized MR. HUNTER, CHAIRMAN OF THE PLANNING BOARD.

MR. HUNTER: We have had several complaints regarding the Union Processing Plant. We believe we should decide what action we propose to take should these complaints prove to be correct. Last October, we had the first of two Public Hearings on the Union Processing. As a result of a number of complaints that came in 1979, I have had no letters back from them that they disagree with what we said in our letters to them. Until these complaints came in last week, we had no idea they were giving us nothing but full co-operation. If we get documentation and verification of these complaints the Board can make a judgement of those complaints, and if they are in violation, the Board proposes to consider removal of the conditional use they now have. We feel if these complaints are legitimate then we should do something more drastic as we have worked hard with them so far. We are going to have formal written complaints coming in. MR. KELLY: There is a very clear cut process for removal of a conditional use permit. Be sure you follow that very carefully. COUNCILMAN NOWICKI: They really have not done anything since all these meetings. MR. HUNTER: I certainly can't say they have done nothing. They say they have bought some new equipment and lowered the height of the piles, but some of the other things I don't know. MR. HUNTER: I just wanted to inform the Board of what is going on.

SUPERVISOR POWERS brought up the idea of limiting alcohol in the parks to certain hours. COUNCILMAN RAMSEY said that the Bareham Security's contract specifies regular reports and this has not been done. SUPERVISOR POWERS has called 3-4 times and will continue on it. COUNCILMAN RAMSEY requested that the Highway Department try to pave the entrance to the Ranchmar Park.

COUNCILMAN PIQUET: asked about the arrow on the bad curve on Chestnut Ridge Rd.

Supervisor Powers that he called and they didn't feel it was necessary.

COUNCILMAN NOWICKI: asked if a response was heard on the Rose Van Hartmen Property. SUPERVISOR POWERS: No.

COUNCILMAN NOWICKI asked about the Marcloni property. SUPERVISOR POWERS said the junk is still there and he will check with Mr. Connolly, Bldg. Inspt.

## #195 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that in as much as the work for the Westside Acres Sub, Sec. 6 has not been completed to the satisfaction of the Town of Chili by the developer, Bianchi Asphalt Paving Co. the Supervisor is hereby authorized to withdraw \$1460.50 remaining in the Letter of Credit being held by the First Fed. Savings and Loan. Seconded by Supervisor Powers. Carried Unanimously.

COUNCILMAN CRIDDLE: asked if anyone check into the ditches on Chestnut Ridge Rd. SUPERVISOR POWERS: I talked to Bob Fitch and he is working on it.

## #196 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that a Public Hearing be held on August 13, 1980 at 9:15 P.M. to hear discussion for traffic signs in the Meadowbrook Farms Apartments. Seconded by Councilman Nowicki. Carried Unanimously.

The meeting was closed at 1:30 A.M.

Town Clerk, Carol O'Connor

*Carol O'Connor*

## P U B L I C H E A R I N G

July 16, 1980

A Public Hearing was held by the Town Board, Town of Chili, Administration Offices, 3235 Chili Ave. Rochester, N.Y. 14624, at 8:30 P.M. to hear the appeal of the Planning Board Decision regarding Peter Denigris brought by Alfred Buttarazzi.

The Hearing was called to order by Supervisor Powers.

Roll Call: Councilman Ramsey, Councilman Pikuett, Supervisor Powers, Councilman Nowicki, Councilman Criddle.

Also Present: Town Clerk, Carol O'Connor, Mr. Chudyk, Supt. of Highways, Mr. Kelly, Town Atty. Mr. Vail, Ins. Coun., and Town Engineer.

ALFRED BUTTARAZZI, 244 Archer Rd.: You have the letter I submitted.

SUPERVISOR POWERS: read his letter stating basically that he wants to appeal the Planning Board Decision of May 13, 1980 granting Mr. Denigris permission to have two horses on his property. The zoning requires 5 acres for horses and he has not gotten half of that. Are you objecting to the horses on that property or the fact that is less than 5 acres?

MR. BUTTARAZZI: I am objecting to the horses, chickens and ducks. They are in my yard, my dogs bark, and wake up the whole neighborhood and me. He is not allowed to harbor all those animals. I have concern over the horse flies. I don't see a reason why people have to come over here and complain. For one year we agreed. The Planning Board did right. He said yes he was going to ride the horses and I only saw them ride the horse once. I see no reason why they don't send these letters to the neighbors to notify them of the meetings.

MR. POWERS: On this hearing tonight, two people were called and one person was too far away. How many horses are there on the property?

MR. BUTTARAZZI: Now, it is one.

SUPERVISOR POWERS: How many horses is he allowed to have?

MR. BUTTARAZZI: Two. At one time, he had three. I think he has abused more than once the privilege the Board gives. The Chairman of the Planning Board said to me, "You are the only one that complained". I was at the meeting but did it help? No. He got it for another 3 years.

SUPERVISOR POWERS: Do you have chicken or ducks?

MR. BUTTARAZZI: No. My boy has two chickens, but they are way far away. It is 500 feet away from my house, and they have all the field to themselves. I had two rabbits, but they were killed.

COUNCILMAN NOWICKI: Do you have dogs?

MR. BUTTARAZZI: Yes, one is a puppy and a big one.

COUNCILMAN NOWICKI: Do they run loose?

MR. BUTTARAZZI: No I have a 6 foot fence all the way around, my dogs go mad at night.

SUPERVISOR POWERS: Do you bring the dogs inside at night?

MR. BUTTARAZZI: No They are outside, fenced with a little house. If a stranger comes on my land they raise hell, and that is what I want a dog for.

COUNCILMAN RAMSEY: The variance is for the horse, not the chicken

or the ducks?

SUPERVISOR POWERS: Right.

COUNCILMAN CRIDDLE: Is odor one objection you have?

MR. BUTARAZZI: The odor is very little, but the main objection is the flies, rats and mice in quantity, the ducks, chickens and dogs.

COUNCILMAN CRIDDLE: Regarding the horses, you have said odor, rats, mice, and flies. You are saying these horses attract rats and mice? I notice reading through the minutes of the Planning Board, if this is as bad as you say it is, you are the only person who complained over it.

MR. BUTARAZZI: They can't. Windsor Ireland is in violation himself with his chicken coop. He can't complain.

COUNCILMAN CRIDDLE: This is not a proper thing to be brought up before this board tonight, but, you are the only person who is complaining. This gentleman appeared for a conditional use, which he complied with our ordinance in doing so, You are also signed a petition for the original use permit.

MR. BUTARAZZI: I did not know, at the time it would be like this. That was for one year limited time, and for a pleasure horse. Not chickens and dogs.

COUNCILMAN CRIDDLE: This is for the horses only.

MR. BUTARAZZI: I never was sent a letter for these additional hearings. I don't know, but I think barbed wire is against the law.

COUNCILMAN NOWICKI: How many houses away do you live?

MR. BUTARAZZI: tow homes.

COUNCILMAN NOWICKI: Since Mr. Denigris has lived there 5 or 6 years.

MR. BUTARAZZI: I believe more than that.

COUNCILMAN NOWICKI: Has he kept his property nice and neat?

MR. BUTARAZZI: No. No one has investigated. They have fixed the roof and gutters.

COUNCILMAN NOWICKI: The objection is for the rats and flies coming onto your property?

MR. BUTARAZZI: Yes.

COUNCILMAN NOWICKI: Is that your land to the railroad tracks?

MR. BUTARAZZI: Not quite.

COUNCILMAN NOWICKI: Who is your neighbor to the North?

MR. BUTARAZZI: I think the Rochester Gas and Electric owns a little strip. Zuber maybe.

COUNCILMAN NOWICKI: Is Zuber the dairy farmer?

MR. BUTARAZZI: Yes.

COUNCILMAN NOWICKI: How far is he?

MR. BUTARAZZI: About 1000 feet.

COUNCILMAN NOWICKI: How many cows does he have there?

MR. BUTARAZZI: He has quite a lot.

COUNCILMAN NOWICKI: Do you think that maybe some of this is coming from this property?

MR. BUTTARAZZI: I don't know. I am asking you to help make Chili beautiful and a good place to live.

councilman PIKUET: You said two years ago it was quite a mess with the flies more so than now?

MR. BUTTARAZZI: Yes, I don't lie.

COUNCILMAN PIKUET: How many horses did Mr. Denigris have when you had the mess.?

MR. BUTTARAZZI: I believe he had two and later on a horse that belongs to someone else.

COUNCILMAN PIKUET: Do you believe the lesser amount of horseflies may be due to the lesser amount of horses on his property?

MR. BUTTARAZZI: That is logical. The more horses, the more mess and the more flies. My own dogs and chickens attract flies.

SUPERVISOR POWERS: Mr. Denigris; how long have you lived there?

MR. DENIGRIS: 5 years.

SUPERVISOR POWERS: Do you own the horse in question?

MR. DENIGRIS: Yes.

SUPERVISOR POWERS: Did you have housing for any horses that don't belong to you?

MR. DENIGRIS: No.

SUPERVISOR POWERS: How many horses did you have or intend to house when you applied before the Planning Board?

MR. DENIGRIS: Two.

SUPERVISOR POWERS: Have you ever had more than two horse?

MR. DENIGRIS: Yes, a friend of mine was moving to a farm. He had a horse boarded someplace and he asked me if I would keep till his new place was ready for his horse.

SUPERVISOR POWERS: Do you ride the horse?

MR. DENIGRIS: Yes, mostly on Vince Zuber's property, who I have obtained permission from. My son uses the horse too.

SUPERVISOR POWERS: Does he ride in the same place?

MR. DENIGRIS: No, he rides in the coral.

COUNCILMAN PIKUET: Two years ago, how many horses did you have at the time Mr. Buttarazzi had the large amount of flies.?

MR. DENIGRIS: Two.

COUNCILMAN PIKUET: Did you have horses at the time immediately preceding November 25, 1974, when Mr. Buttarazzi signed the petition?

MR. DENIGRIS: I had two at that time.

COUNCILMAN PIKUET: Was it for the summer months?

MR. DENIGRIS: In 1974 we boarded them I was building stalls at the time. It was Christmas of 1974 when we brought them to my property.

COUNCILMAN PIKUET: There was no horse there prior to the end of 1974?

MR. DENIGRIS: Yes, we moved in in August.

COUNCILMAN RAMSEY: Does the variance state two horses are allowed?

SUPERVISOR POWERS: A maximum of two horses?

COUNCILMAN RAMSEY: What are you intending for the future three year period? To have a second horse?

MR. DENIGRIS: I am applying for two originally and sold one, but I did want to limit myself by applying for just one. I would like to get one for my son. I really can't tell you what I intend to do.

COUNCILMAN RAMSEY: You intend to reapply after this three year period?

MR. DENIGRIS: Yes.

COUNCILMAN PIKUET: Do you want to graze your horse on the property or provide him with hay?

MR. DENIGRIS: I do by the hay and my own grain. Horses do not attract mice or rats. I am properly storing my grain. We have two cats that stay in the barn. They go into the fields to find mice. There are none to be found in my barn.

COUNCILMAN NOWICKI: You have chickens?

MR. DENIGRIS: Yes.

COUNCILMAN NOWICKI: Do you have a rooster?

MR. DENIGRIS: Yes.

COUNCILMAN NOWICKI: Do you have any complaints of the rooster crowing?

MR. DENIGRIS: No.

COUNCILMAN PIKUET: How many horses can an acre and a half graze comfortably?

MR. DENIGRIS: I don't have grazing. That is why I buy the hay.

SUPERVISOR POWERS: I would like the letter from Mr. Ireland stating he has no objections to the Planning Board's decision with regard to Mr. Denigris having horses at 254 Archer Rd. entered into the records.

JEROME BRIXNER: 14 Hartom Rd. I was in attendance at the Planning Board Meeting and I ask this Board to give Mr. Buttarazzi full consideration. I understand Mr. Denigris is harboring a horse in a residential area on property approximately one and one half acres to the house. The zoning Ordinance requires a minimum lot of 5 acres. to have horses. Five residences could be effected by any decision in this matter: 242,244,248,256 Archer rd. I believe Mr. Buttarazzi resides in a definite residential area and should have the proper protection of the Town Law on his side on this appeal.

COUNCILMAN NOWICKI: The property in question 1.42 acres.

MR. BRIXNER: I stand corrected on the property size.

COUNCILMAN NOWICKI: Are you speaking for the residence you indicated? Have you talked to these people?

MR. BRIXNER: No, I felt since there are 5 homes in the line of this, that this in essence constitutes a residential area. I have only talked to Mr. Buttarazzi. I have participated in the Planning Board discussion and feel the Town Law should be on his side.

COUNCILMAN NOWICKI: I just want to clarify for the record that he is not speaking for the neighbors in the area and he has not talked to any of those people.

SUPERVISOR POWERS: Mr. Denigris; did follow proper procedures in the appeal section of the ordinance. It is there for the people to use if they have a condition a little out of the ordinary.

BOB FERRON, 246 Archer Rd. Are the neighbors notified by mail?

SUPERVISOR POWERS: It depends on the distance. You should have been.

MR. FERRON: I would like to ask why we never received a letter?

SUPERVISOR POWERS: Those letters are sent out by the Building Department. The Town Clerk sent them for the appeal hearing.

MRS. O'Connor: I used the list that was used by the Building Dept. Two residents were omitted from the list, they were never on the list. I didn't realize two residents had been left off the list. There were several new girls working in the Building Dept. at that time. This is where the error came in.

MR. FERRON: Does that variance limit the number of horses to two?

SUPERVISOR POWERS: Yes, only two.

The hearing was closed at 8:59 P.M.

Carol O'Connor, Town Clerk

## P U B L I C H E A R I N G

July 16, 1980

A Public hearing was held by the Town Board, Town of Chili, at 8P.M. in the Chili Administration Offices, 3235 Chili Ave. Rochester, New York to open bids for the Pick Up Truck for the Highway Dept. The hearing was duly advertised in the Democrat and Chronicle.

Roll Call: Same as previously recorded.

Bid # 1

International Harvester, P.O. Box 9832 Jefferson Rd. Rochester N.Y. 14623. No bid written in-They do not manufacture this type of vehicle.

Bid #2

Genesee Ford Truck Sales Inc. 1200 Jefferson Rd. P.O. Box 23320, R Rochester, N.Y. 14692.

\$6207.00  
450.00 Less Trade In

5757.00 Net bid with Trade In.

6207.00 Net Bid without Trade In.

COUNCILMAN NOWICKI: That is amazing only two bids in these hard times. You would think that everyone would be bidding.

MRS. O'CONNOR sent bids to about 14 dealers-and only two responded. No phone calls or responses were made.

COUNCILMAN RAMSEY suggested a phone call follow up to see why none of the other dealers bid.

COUNCILMAN NOWICKI: requested a copy of the specs to see if maybe something was wrong with them.

The hearing was closed at 9:05 P.M.

Carol O'Connor, Town Clerk

P U B L I C H E A R I N G  
July 16, 1980

A Public Hearing was held by the Town Board, Town of Chili, at 9:15 P.M. on the Local Law P-1-80, regarding Obscenity, in the Chili Administration Offices, 3235 Chili Ave. Rochester, N.Y. 14624.

The Hearing was duly advertised in the Gates Chili News.

Roll Call: Same as previously recorded.

SUPERVISOR POWERS: If I have an objection to file regarding a film being shown in the Town what procedure would I use?

MR. KELLY: File a complaint with the Town Justice.

SUPERVISOR POWERS: What is the Town Justice responsibility?

MR. KELLY: To hear the case. It would be filed in conjunction with the Town Attorneys Office or Sheriffs Office., If they are involved in a complaint. It may involve all of these parties. It will be filed and the Town Justice can take measures under the statues.

SUPERVISOR POWERS: This would be all encompassing? This would not just be pictures from the Drive In Theaters? It could include a closed theater.

MR. KELLY: It could if the doors are open and it is publically visible. Previously we were approached by Mr. Macaluso and several committees of people in the town raised objections to the presentations at the Scottsville Drive In because of the ability of the general public to observe that. Do you have a copy of the letter from Carrols Drive In Restaurant?

SUPERVISOR POWERS: Not with me, but it has been filed.

MR. KELLY: That was a formal complaint, submitted by the attorney for Carrols restaurant, asking the Board to take action. The Town itself, has no control over the pictures that being shown, but certainly the ability of the public is something that can be controlled. My discussions with others have indicated the the subject matter at the drive in has been complained about to the District Attorney Office, but no action was taken by that office to control this.

COUNCILMAN CRIDDLE: This proposal Local Law was based on material submitted by Mr. Macaluso?

MR. KELLY: Right.

COUNCILMAN CRIDDLE: We would be a first in this type of a local Law. There seems to be an inconsistency here. The purpose is to regulate motion picture exhibitions not completely enclosed and open to the public view. Further into the Law, we are talking about any room, place or space used to view pictures, either indoors or outdoors. This could be construed to be almost any room. You could then regulate the showing of pictures within someones home, a rented hall, or enclosed theater.

MR. KELLY: That is not the intention.

COUNCILMAN CRIDDLE: I do the intent. It is being treated as a public nuisance. Never, the less, there remains this inconsistency in the wording of the Local Law.

MR. KELLY: The reading portion of it is the prohibitive operation section. It is limited to that violation of the law.

COUNCILMAN CRIDDLE: Would this verbiage down there be necessary. It tends to be misleading.

MR. KELLY: That encompasses everything and is wide enough to cover any instance.

COUNCILMAN CRIDDLE: The matter of enforcement still presents a problem to me. Suppose an average citizen is upset by a film. It won't seem proper to me that a person can complain just by reading in the paper that there is a X rated movie. He would have to see the film.

MR. KELLY: He would have to have this film thrust upon his visibility. Perhaps if he is eating at Carrols and see the picture and files a complaint. It is being thrust upon them in the formal activities of the day.

COUNCILMAN CRIDDLE: Who is most apt to file this complaint? I can't conceive of the youngster at the fence filing a complaint.

MR. KELLY: Maybe the mother of the child would issue the complaint. This is some effort to resolve the complaints filed with this board. If it requires additional modification, that can be done.

SUPERVISOR POWERS: Under Section 4 what do you ask is motion picture?

MR. KELLY: That is defined under section 3. Essentially, it is any showing.

SUPERVISOR POWERS: If any movie, regardless of whether an admission charge is charged or not?

MR. KELLY: If it is thrust upon an innocent victim who does not want to see this.

COUNCILMAN RAMSEY: In the Section 4 it mentions the screen is visible to a person under the age of 17 or any other person. It seems. It seems redundant.

MR. KELLY: Or any other person, an elderly person, or it may very well apply to anyone. It relates to minors or others.

COUNCILMAN RAMSEY: This format of this resolution is not in effect anywhere to your knowledge?

MR. KELLY: I don't believe it is. It may be someplace out of the state.

COUNCILMAN NOWICKI: This local law is not prohibiting anything?

MR. KELLY: No, it is not. We don't have the jurisdiction or constitutional ability to prohibit anything. We are talking about the proper retention of this material within its proper area and that is as far as we are able to go.

SUPERVISOR POWERS: Two years ago, we had a meeting and Mr. Macaluso was in attendance. He promised we would get something from Syracuse in writing, but it never came.

MR. MACALUSO: This is it. It is Mr. Guy's work.

SUPERVISOR POWERS: Why was it so long in getting back?

MR. MACALUSO: There is the usual delay in getting to Mr. Guy. He is an attorney and a very busy man. He does this on his own time. There were several other conditions at the time then we went into the winter period. When this season opened there was a regular bill of fair that was not objectionable. There was a possibility the drive in would close. Eventually, they came back with a string of relentless X rated movies. We then decided to come in. This law was drafted by some of the best attorneys in the world with regard to obscenity. You have access to these attorneys with regard to any question you may have on this bill. This bill was drafted to circumvent previous cases that did violate constitutional rights.

We got into other areas of specific conduct are allowed and restricted by law.. We are talking about the conduct that can be preventing from being thrust upon unwilling adults and children. (Mr. Macaluso is Chairman for Citizens for a Decent Community).

MARGARET HALL--Representative of Women against violence to Women group: Pornography show women as nothing more than pieces of meat. Young men are introduced to sexual prey of women. These and other attitudes of rape and that are enforced in pornography. It angers me to see the Rochester Drive In making money off of this. It infuriates me to see a half naked woman bounded by advertising one movie, or another half naked woman going through a meat grinder advertising another movie. I would like to see the Rochester Drive In and all places like it closed down by any means possible. We hesitate to defend this because it is not really in defense of womens' rights. A society should judge a film in regard to itself. But, we cannot support a law which tries to hide from young people any item of eroticism. Young people need to learn how to deal with sex in open and non sexist ways. Young people cannot learn anything good from the movies shown at the Rochester Drive In Theater.

BOB DELAPP, Parkminster Church Society: We agree with this proposal and any other means the Town can take to eliminate the showing of X rated films and any other materials in this Town. The Town is made up of families attempting to raise their children, and this type of material is no way beneficial to our children or other members of the Town. We would like to commend you for attacking this matter when other towns are afraid to. We will support you in any way that we can.

BETTY BARTOCK, 43 Baylor Circle: As a resident of the Town of Chili, I am delighted this ordinance is being considered. I will definitely drag my children away from the fence and call in a complaint, if we see these things at the Rochester Drive In while eating at a Burger King .

JEAN PHILLIPS: 80, Ballantyne Rd.: I, too, am in favor of this ordinance. I wish it was more strict. My own son has been going in and out of the drive in for the past three years, and our children are far to important and impressionable to see the things at the drive in.

SEYMOR BASKIN, CO OWNER OF THE ROCHESTER DRIVE IN: I, too, am a father with three children. We try to teach them morals and sensuality. As election time draws near, an annual "which hunt" is begun by a local vocal group, if not now, but but might have political inspirations. The Rochester Drive In has been exhibiting X rated films for a decade. District Attorneys, Judges, and many more have viewed the films as paying customers. Censorship under any guise is still an attempt to censor: Once more these groups wishes to impose their thinking that they know what is best for the uninformed or uneducated. It is important to note how among the people who have seen our films, some are, amused. The free society has the right of decision. If the public does not want a product, it goes out of business. We are all aware of prohibition increased the decade of law breakers. In New Jersey, gambling is now legal. New York state is working toward that end. No one is forced to gamble or drink or see an X rated film. Everytime a customer buys an admission ticket, they are voting for their selection. Every soap opera on T.V. dealing with the facts of life has this. Young children often want supervision. The Drive In Theater does have security people to stop young people from seeing the film. An individual has to overtly, criminally trespass . The theater is fenced and not free of charge. They are violating the law and not the theater. We agree certain films should not be seen at all. At the box office many times cars with families were refused admission because of the young children. The Drive in screen is not visible to cars or pedestrians and is in compliance with federal and state ordinances. A few years ago an individual hired a small airplane and flew over the screen, contacted the police and said the movie was visible from a vehicle.

The police refused to raid the theater. The man in the vehicle became enraged. We have never been delinquent in paying any of our taxes. There has been a change in motion picture subject matter and we have reflected the change in times. You are not protecting the young by prohibiting anything from them. Knowledge is their protection.

LAWRENCE HOYT: I share the concern Mr. Criddle has. This has possible over lays into other areas. I have just received cable in Chili, and now they do show nudity and I do sit in my garage and watch T.V. I may get busted if somebody went by and saw this. Does obscenity mean just nudity or again, genital contact or what? Who defines obscenity? According to the newspaper articles, the only place you can see this theater is off the side of the road, and in the back lot of Carrols but you would have to park back next to the fence.

MARIA SCIPPIONI, Women Against Violence to Women: We will not support this law as it is put before us tonight. We are not opposed to sex, but sex where women are brutalized. We protest pornography because it degrades women. Women are terrorized in our society. No man made law can solve this problem.

MR. SALAMONE: You are obligated to take so many X-Rated pictures per year?

MR. BASKIN: No there is no obligation on our part to take X-Rated movie pictures.

MR. MACALUSO: I think it is important to understand what we are talking about here. People who spoke against it don't know what it contains. We are following the laws of our culture against displays of public nudity. We are talking about a law that says specifically from public through fare. It is directly aimed at prohibiting those things that are not prohibited in areas like this. It is based on previous law and tradition in the truest sense. We are talking about keeping the public peace.

SUPERVISOR POWERS: requested that all tape recorders be removed from the hall as several were playing.

LORETTA DARLY, GATES RESIDENT: I know children from our neighborhood are going into the drive in. At times, according to the paper, they have to put on extra security help. What is the reason for this if they have fence?

MR. BASKIN: This goes back to our personal feelings. We do it for the same reason we prohibit admission to cars with young children. I would like to add, if I forgot this before, we put on extra guard duty because we no people will intentionally park on Burger King lot to watch the movie. We don't want to have any trouble. We are trying to run the building as best as we can. We would appreciate any Board member to walk or drive by the theater and determine if anyone beyond the paid for viewing area can see the screen. We try to exercise the best control possible. Store hires security guards to reduce shoplifting and we want our paid admission. Burger King knew we were there when they put up the building. Their aren't really that many people or kids who try to sneak in. You can spend one evening with my guard and see exactly what goes on.

MR. HOYT: Are there laws on the state books about obscenity?

MR. KELLY: Yes.

MR. HOYT: Why do we have to have our own?

MR. KELLY: There are two different things. The state law is enforcing by the county office. We are concerned here about the facility that is operating within the Town of Chili that we do have some control over.

The hearing was adjourned at 10:15 P.M.

P U B L I C H E A R I N G  
July 16, 1980

A Public Hearing was held by the Town Board of the Town of Chili on July 16, 1980 at 10:30 P.M. to open bids for the Highway Dept. Town of Chili, 3235 Chili Ave. Rochester, N.Y. 14624

Roll Call: Same as previously recorded.

BID NUMBER 1           Dow and Company, 3240 Monroe Ave. Rochester,  
N.Y. 14618

\$94,975  
51,442 Less Trade In  
\$53,533 Net Bid with Trade In and  
\$72,657 Net bid without trade In.

BID NUMBER 2           L.B. Smith Inc. Turner Dr. Spencerport, N.Y. 14559

\$114,395  
37,585 Less Trade In  
\$76,810 Net Bid with Trade In and  
99,980 net bid without trade In.

BID NUMBER 3           MONROE TRACTOR, Henrietta, N.Y.

\$98,782  
35,882 Less Trade In  
\$63,400 Net Bid With Trade In and  
94,318 Net bid without trade In.

Councilman Nowicki asked if all the documents were enclosed.

MRS. O'CONNOR, said Yes.

The Hearing was closed at 10:35 P.M.

Carol O'Connor, Town Clerk

## P U B L I C H E A R I N G

July 16, 1980

A Public Hearing was held by the Town Board of the Town of Chili on July 16, 1980 at 10:35 P.M. to hear Local Law P-2 of 1980 (motor driven vehicles) in the Chili Administration Offices located at 3235 Chili Ave. Rochester, N.Y. 14624. The hearing was called to order by Supervisor Powers.

ROLL CALL: Same as previously recorded.

SUPERVISOR POWERS: Read the section of the law to clear up any questions that the audience may have.

COUNCILMAN PIKUET: One further clarification is the fact that it is unlawful to operate those vehicles on private property without written permission from the owner of the property.

SUPERVISOR POWERS: If a youngster has a minibike, may he drive it in his own yard?

MR. KELLY: Yes.

SUPERVISOR POWERS: What if I allow minibikes to use my property? I haven't granted permission, but I don't give a darn.

MR. KELLY: If it becomes a nuisance to the people of the community the property owner would be made aware of the fact that a nuisance is being created on his property. If he does not take steps to correct this situation against this person, the Town would. No where is there any provision in a residential area to establish a motor bike trail. This applies to noise that annoys others. They can be used properly, and also be used to create a tremendous amount of disturbance to the neighborhood. We have had many complaints on this, and that is one reason why we have requested this law this evening. This law was enacted in the Town of Greece, and we have patterned ours after it.

WAYNE BURAN, 43 Lawnsbury Dr.: I do think that if a reference is insinuated that snowmobiles listed in the papers because you would have had more people here tonight. There is a statement here in the Gates Chili News, not the official notice, stating the law is to control. It seems to me it is not a control but an elimination. There are no trails designed by the Town of Chili to use, and it states they will only be allowed on a Town Trail established for this use.

SUPERVISOR POWERS: Correct. There are no trails in the Town of Chili.

MR. BURAN: You have taken it from allowing it on anyone else's property, or mine either. If someone complains in the town, this will be eliminated?

MR. KELLY: There are provisions in there on the methods and manner of operating such a vehicle.

MR. BURAN: I don't see any definitions in here of what loud is. Is there a plan to measure it on a decibel scale?

MR. KELLY: No

Mr. Buran: How could the state police enforce this if you have no way of monitoring this? Imported vehicles are required by law not to exceed a certain decibel level, I don't know what that is, but it is a law. You are basing a law on a word called "Loud". Loud to me may not be loud to you. What is unnecessary noise?

MR. KELLY: It depends on what is heard at that time.

MR. BURAN: I have no definition for the word. What does a person use

as criteria for the word "noise".?

MR. KELLY: We are talking about the disturbances in a residential area. The people in that area have a right to a residential area. When noise is in the form of a public disturbance in a given area.

MR. BUREN: How will this law be enforced? We never see a sheriff patrol or state police car. Why put a law on the books that you can't enforce?

MR. KELLY: The sheriff's office has had a number of calls regarding violations by minibikers. The records of their complaints, I do not have. But there are a substantial amount.

MR. BUREN: I realize there are complaints. I don't understand how anybody can enforce this.

BRUCE HICKEY: 16 Bent Oak Rd. : We have lived on Bento Oak for 3 years. I am speaking in favor of the motion and against minibikes. My situation may be typical of someone effected by them. Behind our house is a large open area, approximately 15 acres. Starting last summer the noise from the minibikes got to the point where it was so bad I started calling around to see what I could do. I talked to Don Ramsey on the phone and he could hardly hear me because of all the noise in the background. The bikes aren't real close to the house. Most houses in the sub-division don't have front porches anymore. You usually sit in the backyard. When these bikes are running it is absolutely unbearable. If this law was enacted and I called the sheriff patrol and police officer came and heard that he would call that noise unnatural and infringing upon my rights as a citizen to have peace and quiet. It is unconstitutional. The law will not infringe on anyone who operates their bike quietly. I will bet you the first thing kids do is take off the federally mandated mufflers and remove the baffles to make them louder. On the insurance end of it, you need written permission of the person who owns the land. You can have people injure themselves on your property. This written permission requirement covers you legally in the event of anything. The enforcement thing bothers me. We are tax payers. We pay for the sheriff. You have to put some pressure on them.

JIM NOTHNAGLE: 119 King Rd. I am an avid cyclist myself and I am very use to this. I feel this law will directly effect people who have no way to vote this law up or down, or have any voice in it. The police have many ways of catching kids if they want to. They have confiscated two or three of them from us with no problems at all. There are plenty of laws around now. I think this law is without a doubt the most restrictive law I have ever seen. It completely outlaws vehicles or dirtbikes in this Town. Nobody in his right mind will give a 9 or 10 year old written permission to use his property. You will be a lot more liable that way. This, to me, would be outrageous. I know there are people who abuse the privilage of cycling I don't drink, but I would like to have a law passed that anyone who throws a beer bottle on my lawn be picked up and put in jail. I don't drink. I would like to know how many complaints we have and how many of them are the same people. A small group applying a lot of pressure. Why don't we build a recreation for the kids to ride in. We have golf courses. There are other ways to get around people abusing the laws then this.

EDDIE GRABLE, 31 Red Bud Rd.: If you pass this law will you build recreation centers for us to use?

SUPERVISOR POWERS: I can't answer that. There is a track at the corner of Whittier Rd. and Buffalo Rd.

MR. GRABLE: That is bicycling.

FLORENCE PETTINGER, 41 Alger Dr. : We back up to 400 acres of the school land. We get nothing but noise from the bikes. The noise is like a saw and who wants to listen to a chain saw all week and all week-end. We called the police and they said we can't do anything. They

said we would have to run out and confiscate the bikes. We have had 5 years of noise. You are disturbing our peace. If you want to hear that noise let them ride on your property. Kids have to have fun but not at other peoples expense. Another gentlemen here said there is some type of law and I have called the police and they say they can do nothing.

JAMES BERYL, 43 Saddleback Trall: I have had my share of minibikes. I can talk to the kids and I have tried everything. There is nothing you can do. You always feel retaliation. I have called the shariff. The said you have to confiscate the bikes. They ride over the corner of my property and other properties. Most people do not call all the time because they feel retaliation. I feel they can come up with a better law to make it illegal to ride these bikes on private property Maybe the people who own the minibikes can then put enough pressure on the town to provide an area to ride these bikes in.

ART DURAN, 526 Paul Rd.: Doesn't the noise level restrict state highways?

MR. KELLY: This is not a public highway. We have no jurisdiction over a public highway.

MR. DURAN: How can you enforce this?

MR. KELLY: Complaints usually eminate from a given area. Process of elimination to do away with complaints from a given area.

MITCHELL RAKUS, 2081 Scottsville Rd: I have nothing against motor-cycles provided they are quiet bikes. I have the old railroad behind me (my house) and I have had a snowmobile come under my window at 3 A.M. and wake me up. That is excessive noise.

SANFORD MARVIN: The Brasser School playground backs up to my property. We have had cycles fo through realing and wheeling through. It is a safety hazard. I am certainly in favor of this law along with snow-mobiles because we have them, too. Kids are going through there and vehicles wheel right through.

JAMES BIRCH, Golden Rd.: I am a strong supporter of the rights of others. I am a cyclist and we own several. O am for these. I would like to say, they are fuel efficient transportation and are on the increase in numbers. The new vehicles are required to be quieter that we have had in the past and there are laws to reduce the noise levels, the Monroe County Noise Ordinance. I find it difficult to believe that there are not existing laws that with a little imagination could control the trespassing, vandalism, and excessive noises. The intents of this law spelled out is to promote the health safety and welfare of the users. That is absolutely nonsense. If you think the Town can do a better job of looking for kids I will stand for eliminating trespassing. This ordinance is unnecessary Primarily, it is against kids. It prohibits, it does not control. It offers the kids exactly nothing and intimidates any property owner that may offer the kids permission to ride. This would create an expense and inconvenience for cycle owners. It deprives the kids of wholesome recreation and at least we know where the kids are at when they are out riding the cycles. They can provide an area for use of cycles, or apply the ordinance to areas that are not densely populated. The ordinance as drafted is misleading and unnecessary and follows an entirely negative approach and I am against it.

ARTHUR RICHARDSON, Fenton Rd. A study was done stating ten percent of people will complain about noise, not created by themselves. Your law is extreme. We can readily understand being against noise. Racers need to ride and to practice. They don't ride early in the morning or late at night. On Sundays or between the hours of 5 P.M. and 7 P.M. Cooperation is what we need and not an extreme ordinance, that rules out everything.

Todd Richardson, Fenton Rd.: We are owners of bikes that do not come with baffles. We have no place on this. We do not take our baffles off. We have everything from the factory. We carry insurance. There is no danger tous suing anyone. I feel that we are trapped. We get written permission from someone but then if it is too noisy or endangers others then it can also be ruled out. That is going to far. You can't rule out.

MR. BORAN: After listening to the pros and cons, other than property damage and trespassing, the basic issue is noise. I feel this law should be tabled until a future date and investigated into how we can monitor this noise and enforce this law. You must have some positive measure.

ARTHUR RICHARDSON, We need a spirit of cooperation. We should all be able to live in an area together. We should be able to find a common ground== We can all live with this. I don't think we need any more laws. This Town should explore through publicity, a drive to explain the problems. There are more avenues we should pursue before we put a law like this on the books. There are only a few areas in town where there are chronic complains. Why should the whole town have to pay for those peticular areas.

FLORENCE GOODWIN, 33 Lorado Dr. I feel we need something on the books. It is for the property owners who put up with this kind of noise. Maybe we need something that will unnecessary and deliberate noise. We do have a Town Court and maybe it can present to them if people feel noise is deliberate and unnecessary. We are neighbors that ride on the lot line. They are on their own property. That doesn't help us any. We need something to cover that sort of thing as well. I am for something.

MR. HICKEY, One man suggested expanding the law to make riding on private property illegal. You can't do that. The only problem is noise. I would rather see kids riding bikes than stealing, but they have got to do it quietly or in a reasonable manner. I don't agree you should outlaw bikes on private property. It is their own business as long as they don't bother anyone else.

COUNCILMAN PIQUET: When I first started to research this, an initial thought was to create a decibel level that was acceptable. However, it all boils down to how do you judge that degree level in a bike and how do you find a mechanic to take that reading. It proved difficult. No county sheriff has that equipment. I borrowed this ordinance from the Town of Greece. When they have been enforcing and have been enforcing and have curtailed the amount of bikes illegally riding on other peoples property.

BOB GILLZO, 29 GRAYSON RD.: I have a lot of money tied up in bikes and we travel places. With permission, we ride these bikes. they have not been tampered with. A dirt bike cannot be ridden on the road, they are not made that way. Dirt bikes are sports just like baseball and soccer. I would like to see a motorcross track in the town. Some place for these kids. Lets take care of all sports.

GEORGE GOODWIN, 33 Lorado Dr.: That is a sport but so is golf. That doesn't mean that my kids can go anywhere and whack a ball around. Maybe if parents would control there would be no need to prohibit it.

BILL STOKES, 41 Fenton Rd. : My son rides motorcross and he has put a lot of money into safety equipment. He has to practice for the big races and kids need some place to practice.

ROBERT AUSTIN, Fisher Rd. : I have two kids that race and ordinance or not, they are not going to stop riding. We spend a lot of money on those machines, and it a sport. Already, more kids are in it then you know.

COUNCILMAN RAMSEY: One of the problems we have experienced is we study things like liability insurance for the Town to have a track. It is

very difficult for the town to cover itself under liability insurance.

NANCY MARTIN, 8 Westway: I have sons who both have suzukis They are very loud. They do not ride their bikes in our neighborhood. They ride them in land across Paul Rd. with the owners permission. I had one complaint and they have not ridden in that particular area and I have had no complaints. The kids want to ride and are willing to meet you half way.

The hearing was closed at 11:45 P.M.

Carol O'Connor, Town Clerk

T O W N B O A R D  
August 13, 1980

A meeting of the Town Board, Town of Chili, was held on August 13, 1980, at 8:00 p.m. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624. The meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuet, Councilman Nowicki, Councilman Criddle, Supervisor Powers.

ALSO PRESENT: Carol O'Connor, Town Clerk; Mr. Kelly, Town Atty; Mr. Bergmann, Town Eng.; Mr. Vail, Ins. Counselor.

The Minutes of the Town Board Meeting held June 18, 1980, were amended and unanimously approved as amended.

SUPERVISOR POWERS: It appears the 1980 Pure Waters Charges picked up people that were not picked up prior to 1980.

DR. MCDONALD OF PURE WATERS: That is correct. If they were missed on the master tapes. There are 35 people that are on wells that had not been picked up previously.

SUPERVISOR POWERS: There are different rates being set for different people?

DR. MACDONALD: We have a problem with wells as there is no way to meter consumption.

SUPERVISOR POWERS: One man was going to put a meter on his well.

DR. MACDONALD: That is fine with us, but that is expensive. Some of the charges have been reduced from 60,000 gallon basis to a 20,000 gallon basis. I don't know the particular cases, but it did occur in 5 of the 35 cases. In each case, we have two individuals occupying a single unit.

COUNCILMAN CRIDDLE: In the case of Mr. & Mrs. Neth, he spoke to me. He is retired and he said there is no way they could have used 60,000 gallons. He made a visit to Pure Waters, and Mr. Berkowitz came out. It was settled for \$11.00. What disturbs me are the inconsistencies with regard to price.

DR. MACDONALD: I think you are talking about 5 cases out of 20,000 units. We will correct any inconsistencies. We make a judgement on what the case should be.

COUNCILMAN CRIDDLE: If there is an instance where say 5 people are on a well?

DR. MACDONALD: We would use 60,000 gallons. We take into account the number of people in the household and their ages.

COUNCILMAN NOWICKI: Is each case investigated on its' own merits?

DR. MACDONALD: Yes, but we try to set the numbers at 60,000 or 20,000 or 10,000.

COUNCILMAN NOWICKI: Maybe there are only 5 cases in town, but it seems no set pattern was used by your people to satisfy these people.

DR. MACDONALD: We did use the 60,000 as a basis and tried to work down from there. If people don't call us, we don't know how many people are in the house.

COUNCILMAN CRIDDLE: There a total of 35 in the town that you found. There may be more, but there are 35 that were charged?

DR. MACDONALD: Right. It is the same charge that everyone else pays in the Town based upon their water consumption.

SUPERVISOR POWERS: Is this a charge or tax?

DR. MACDONALD: It is a user charge. A charge for a utility service under section 266 of the County Law. The charge is on a unit basis imposed under section 271 of the County Law. It is not a tax although the IRS will treat this as a tax for tax deductions.

SUPERVISOR POWERS: \$500,000 was the surplus balance, \$300,000 is for operations of maintenance in the GCO. Are transfers of money made from GCO to other places?

DR. MACDONALD: To the Southwest Quadrant and interfund transfers of services are provided to people who carried under other services.

SUPERVISOR POWERS: Chili, Ogden, and Gates are paying a fee to use the new interceptor.

DR. MACDONALD: Right.

SUPERVISOR POWERS: It was my understanding there would be no charge back to GCO.

DR. MACDONALD: That was not my understanding.

COUNCILMAN NOWICKI: Is this monitored somewhere and are the records available?

DR. MACDONALD: Sure. It is our objective not to increase the size of the Chili-Ogden treatment plant.

SUPERVISOR POWERS: We have no use for the north-south interceptor. I understand we didn't have to pay for it.

DR. MACDONALD: When we bid this fall on the Chestnut Ridge Road swail, the people in Gates will pay and have no use for it.

SUPERVISOR POWERS: When do you hope to go out for bid?

DR. MACDONALD: This fall October or November.

SUPERVISOR POWERS: You have the money and it as all engineered?

DR. MACDONALD: Yes. There has to be a slight redesign, but no great problem. I will try to get it out sooner.

COUNCILMAN NOWICKI: Has the existing GCO plant reached its capacity?

DR. MACDONALD: No.

COUNCILMAN NOWICKI: What effect will there be if Miracle Mile is established?

DR. MACDONALD: I don't think we will see a dramatic increase there. I am not positive.

COUNCILMAN NOWICKI: There is a present contract between the towns across the river?

DR. MACDONALD: between gates, Chili, Ogden sewer district and the town of Henrietta.

COUNCILMAN NOWICKI: Is a copy of that available?

DR. MACDONALD: Yes.

COUNCILMAN NOWICKI: Will you see that we get a copy?

DR. MACDONALD: Yes.

COUNCILMAN NOWICKI: Do you know of any times when raw sewage has been discharged into the Genesee River?

DR. MACDONALD: No. The plant is a secondary treatment plant with phosphorus removal. It is meeting its permit limitations which are much more stricter than any other plant.

COUNCILMAN NOWICKI: With the growth rate occurring here, what would you estimate the life expectancy is for the present plant?

DR. MACDONALD: I think we can go through 1990 to 1995, easy. There are no plans to increase that facility. Perhaps one solution maybe to pump it into the city system.

COUNCILMAN NOWICKI: A statement was made a few years ago that to drop the rates in the GCO was to encourage growth and use more water. Do you agree?

DR. MACDONALD: It is possible, yes. You are spreading the maintenance costs over a greater base. But, if you don't increase the population, it will be the same people using more water and there will be an increase.

SUPERVISOR POWERS: Were you director when that north-south interceptor was drawn up?

DR. MACDONALD: I think Mr. Bodel was. I was there when we let the contracts for it's construction.

COUNCILMAN NOWICKI: There are some areas in the Town for example, Union Street, where we have looked at sewers for that area for many years. What would be a reasonable approach to exploring the possibility of sewers in that area, which really should be one of the prime development areas?

DR. MACDONALD: Which will come first, the development to support the cost of the facility, or the facility? It is like the chicken and the egg. A project should have sufficient development there already to support this.

SUPERVISOR POWERS: On the Union Street/King Road project, is there any design that has been done?

DR. MACDONALD: No.

COUNCILMAN NOWICKI: Do you know the capacity of the sewer that runs parallel to the Black Creek from the GCO? It may be an collector sewer. Can it pick up areas south of Black Creek, also?

DR. MACDONALD: I don't have an answer, but will look into that and provide an answer for you. The federal Government is reluctant to provide funds for sewers.

SUPERVISOR POWERS: Announced the public hearings will be held immediately after this discussion.

JEAN PHILLIPS, 80 BALLANTYNE RD. I am speaking as Receiver of Taxes for the Town of Chili. When you sent out the letter for the \$66.00 charge, people who were on wells, but tied into sewers and for which you said you had no readings, you said were about 35. I had at least 35 phone calls. Many people who called me were upset. They were on septic. They should come right off the list. These are old people on fixed incomes and I told several of them to call Pure Waters to find out what formula was used and I also called. I was told from maps and tapes. I have to say there is room for improvement here. I can get names if I could get your master list.

DR. MACDONALD: Sure. We have a list.

MS. PHILLIPS: As Tax Collector, I received a warrant called a Tax Role Warrant and I pay to the County Treasury \$2,082,456.

In that is Pure Waters charges. I would like to tell people to take it all off their taxes. I say to you; go back to the county legislature and ask them how they arrive at this when it is a proper tax warrant. You call it a service charge. We are paying the highest. We are the oldest. We are the smallest.

DR. MACDONALD: The charge for operations for the maintenance and capital are based upon the amount of money spent in the district and the size of the district. Comparing this to the northwest quadrant, we have 200 some odd miles of pipe that all need maintenance. We do not have that in any other area.

MS. PHILLIPS: Part of Henrietta uses this station.

DR. MACDONALD: About one third of the flow.

MS. PHILLIPS: Their bills are less than ours yet that is the same plant treating the same sewers.

DR. MACDONALD: We operate only one pump station. Henrietta takes care of their own pipes in the ground. I have no men out there.

MR. RALPH BARBATO, CHESTNUT RIDGE RD.: RE: Letter of complaint submitted.

SUPERVISOR POWERS: It is on the agenda and it will be part of the record.

MR. BARBATO: I have on tape a recording of these roosters if anyone would like to hear it. It is a real problem and we would like to have something done about it.

#197 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the Town Board uphold the decision of the Planning Board to approve the conditional use permit of Mr. Denigris to keep two horses on his property in a residential zone. Seconded by Councilman Criddle. Carried by the following vote: Councilman Ramsey no, Councilman Pikuert, aye, Councilman Nowicki aye, Councilman Criddle, aye, Supervisor, no.

#198 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Local Law P-1-80, re: obscenity be approved as submitted to the Board. Seconded by Councilman Ramsey. Unanimously approved.

#199 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Local Law P-2-80 be tabled for decision until the Town Attorney reports back to the Town Board on two other laws for Nuisance Control. Seconded by Councilman Ramsey. Carried by the following vote: Councilman Ramsey, aye; Councilman Pikuert, no; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, no.

The Town Board was adjourned to a Public Hearing re: Local Law P-3-80, at 9:00 P.M.

The Town Board was reconvened at 9:04 P.M. Roll call - Same as previously recorded.

#200 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Local Law P-3-80 regarding the form for the Code Book be adopted. Seconded by Councilman Nowicki, Carried Unanimously.

The Town Board was adjourned to Public Hearing on the rezoning of 2575 Chili Avenue to C-1 at 9:05 P.M.

The Town Board was reconvened at 9:26 P.M. Roll call- same as previously recorded.

#201 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the application of Charles Cutaia to rezone 2575 Chili Avenue to C-1 be approved. Seconded by Councilman Ramsey. Carried unanimously.

PER MRS. O'CONNOR, there was no advertisement on bids for the trailer for the Highway Department as Mr. Chudyk, Hwy. Supt, did not provide her with anything. Therefore, no public hearing, was held.

The Town Board was adjourned at 9:28 P.M. to Public Hearing on Meadowbrook Farms, Sec. 3 Traffic Control.

The Town Board was reconvened at 9:40 P.M. Roll call- same as previously recorded.

The Town Board recessed at 9:40 P.M. and reconvened at 10:00 P. M. Roll call same as previously recorded.

Corres. #272 Memo to Carol O'Connor from Ed Maher, Deputy Chief Chili Fire Dept. Inc., re: addition to list of active volunteers.

#202 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that upon recommendation of the Chili Fire Dept., Inc. the following names shall be added to the list of active volunteers:

Christopher Wray, 262 Meadowbrook Farm, N. Chili 14514

Thomas Emalie, 262 Meadowbrook Farm, N. Chili 14514

Daniel Legg, 262 Meadowbrook Farm, N. Chili 14514

AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail be so notified of these additions. Seconded by Supervisor Powers. Carried unanimously.

Corres. #273 Letter dated July 7, 1980, to Town of Chili from Ed Krenzer, Jr., Secretary, Clifton Fire Dept., Inc. re: addition to active list.

#203 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Clifton Fire Dept. Inc. Gard Harness, 100 Wheatland Center Road, Clifton, 14431 be added to the list of active volunteers, AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail, be so notified of this addition. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #274 Notice of Petition dated July 15, 1980, re: Charles Cutaia Petitioner vs. Town Board, Town of Chili, New York Respondent, Copies have been given to Town Attorney.

Corres. #275 Notice of Petition and Verified Petition of Rochester Telephone Corp. Re: special franchise property.

Corres. #276 Notice of Petition and Verified Petition of Rochester Gas & Electric Corp., re: special franchise property.

Corres. #277 Summons and complaint - Kennerson Vs. Town of Chili et ano., dated July 21, 1980, with cover letter from Homer H. Marks, Traynor, Shehan & Marks, Attorneys.

Corres. #278 Letter dated July 21, 1980, from the Hartford, re: James & Kathleen Kennerson, Claim No. 314 LP 36601, Advising they have received Notice of Claim including punitive damages. Town Insurance coverage does not provide for punitive damages.

Corres. #279 Letter dated July 21, 1980, to Chili Town Board from Ralph & Ruth Weber, 388 Chestnut Ridge Rd., Jane Bringly, 392 Chestnut Ridge Rd., and Douglas & Mary Fletcher, 394 Chestnut Ridge Rd., complaining about roosters owned by Donald Hayes, 395 Chestnut Ridge Rd.

Corres. #280 Letter Dated August 1, 1980, to Chili Town Board from Deborah S. Voorheis, Zoning Enforcement Officer, re: above letter, advising that the matter has been researched and the Deputy Town Attorney consulted and it has been determined that the property at 395 Chestnut Ridge Rd. falls into the category of pre-existing, non-conforming uses and the Building Dept. could take no action. She further advises that Mr Weber and Mrs. Fletcher were made aware of the town's position by phone calls on June 24, 1980.

Corres. #281 Letter dated July 28, 1980, to James J. Powers from Susan Mulroney, Program Director, People's Cable, re: availability to the Town of the Public Access Channel [19] and the Government Channel [18].

#204 RESOLUTION OFFERED COUNCILMAN CRIDDLE

RESOLVED that Supervisor Powers be authorized to sign the form necessary with People's Cable for the Public Access Channel [19] and the Government Channel [18] in the Town of Chili. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #282 Letter dated August 6, 1980, to Supervisor James Powers from Shapiro & Rosenbaum, Attorneys, re: Rochester Drive-In Theater, 1200 Scottsville Rd., Advising that the operators of the theater feel they have made every attempt to cooperate with the Town in regards to the type movies shown and policing the area and feel the Town should also live up to their commitments. Further advising that the owners of the property are planning to convert the land to an industrial park and this may be the last season for the theater. Future attempts to close the down the theater will be perceived as lacking good faith with the intent of causing financial damage to the theater.

Corres. #283 Various reports submitted by Bareham Security R & Gaurds.

Corres. #284 Minutes of the Chili Recreation & Youth Comm. meeting held on June 11, 1980, submitted.

Corres. #285 Minutes of regular meeting of the Chili Library Board of Trustees held June 25, 1980, submitted.

Corres. #286 Director's Report for Chili Public Library submitted for month of July, 1980.

Corres. #287 Chili Dog Control Report submitted for July 1980.

Corres. #288 Memo dated July 21, 1980, to Chili Town Board from Daniel Rose, Chili Dog Control Officer, requesting a public hearing to ammend the Dog Ordinance.

#205 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that a public hearing be held on Sept. 3, 1980, at 8:30 P.M. to amend the Chili Dog Ordinance, Sec. 5-21, Dogs to be Licensed to conform to the new Agricultural and Markets Law which states that Licenses shall be good for one year from date of issuance. Seconded by Councilman Ramsey. Carried unanimously.

Corres. #289 Letter dated July 21, 1980, to Supervisor James J. Powers, from Donald J. Bergmann, Town Eng., re: Drainage Improvements-- Ranchmar Subdivision, with recommendations and estimated cost of engineering preliminary work of \$1600 total cost of \$49,000.

Corres. #290 Letter dated July 24, 1980 to Town Board from Town Justices Pelkey and Borzilleri, re: 71st annual Conference of NYS Assoc. of Magistrates.

## #206 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Justices Pelkey and Borzilleri be authorized to attend the 71st Annual Conference of N.Y.S. Magistrates to be held September 14-17, 1980, at the Nevele Hotel, Ellenville, NY, expenses to be paid by voucher as incurred. Seconded by Councilman Criddle. Carried unanimously.

Corres. #291 Letter dated July 25, 1980, to Town Board from Stephen Chudyk, Supt. of Hgwys., re: review of bid for pick-up truck.

## #207 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that upon the recommendation of the Supt. of Hgwys. Stephen Chudyk, that the bid received on July 16, 1980, from Genesee Ford Truck Sales, Inc., for purchase of a pick-up truck for the Highway Dept., be accepted at a bid price of \$6,207.00 without trade in. Seconded by Councilman Nowicki. Carried by the following vote: Councilman Pikueta no; Councilman Ramsey, aye; Councilman Nowicki, aye; Councilman Criddle, aye; Supervisor Powers, aye;

Corres. # 292 Request for funds submitted by Stephen Chudyk, Dated July 28, 1980, re: repair Galion 10-12 Ton asphalt/gravel roller at estimated cost of \$4,800.00.

## #208 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that \$25,000 of the 1980 Federal Revenue Sharing Budget be allocated for the purpose of capital improvements to the Town Highway Garage. Seconded by Councilman Pikueta. Carried unanimously.

## #209 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that \$41,761.00 of the 1980 Federal Revenue Sharing Budget be allocated for the purpose of expansion of the Town Hall. Seconded by Councilman Nowicki. Carried Unanimously.

## #210 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Town Attorney Mr. Bernard Winterman be appointed to serve as a consultant for labor negotiations for the Town of Chili to be paid at the rate of \$30 per hour on a contract basis. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #293 Letter dated July 28, 1980, to Town Board from Stephen Chudyk, Supt. of Hgwys., re: resolution authorizing expenditure of the State bond money allocated to the Town of Chili for the safer Local Roads and Streets Program.

Corres. #294 Letter dated July 29, 1980, To Town Board from Stephen A. Chudyk, Supt. of Hgwys., re: review bids for excavator.

Corres. #295 Letter dated July 30, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hgwys., re: report on annual Highway School for Town Highway Superintendents held at Cornell Univ. during June 2-4, 1980.

Corres. #296 Letter dated July 31, 1980, to Town Board from Robert Connolly, Bldg. Inspector, requesting transfer of funds.

Corres. #297 Letter dated July 31, 1980, to Town Board from Robert Connolly, Bldg. Inspector, requesting authorization to purchase file cabinet.

## #211 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED THAT \$350.00 be transferred from Safety Inspection Personal Services A3620.2 AND BE IT FURTHER RESOLVED that the Building Inspector Robert Connolly, Be authorized to purchase a five drawer lateral file from State contract at a cost of approximately \$338.20. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #298 Memo dated July 31, 1980, to Supervisor Powers and Town Board Members from Carol O'Connor, Town Clerk, re: merit raise for \$500.00 for Mrs. Van Buren for the balance of the year 1980.

Corres. #299 Letter dated August 1, 1980, to Chili Town Board from Deborah S. Voorheis, Zoning Enforcement Officer, re: up-date on efforts to eliminate dumping sites in the Town and coordination of efforts with the conservation officer, Mr. Thew.

Corres. #300 Memo dated August 4, 1980, to Supervisor Powers and Town Board members from Carol O'Connor, Town Clerk, Attaching a note of resignation submitted by Deputy Town Clerk, Vicky Fredley.

#212 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the resignation of Vicky Fredley as Deputy Town Clerk be accepted effective immediately. Seconded by Supervisor Powers. Carried unanimously.

Corres. #301 Memo Dated August 4, 1980, to Supervisor Powers from Peter B. Fernandez, Erdman Anthony, Assoc., re: dimensions of football/soccer field in Henderson park addition.

Corres. #302 Letter dated August 4, 1980, to Supervisor J. Powers, from Donald Bergmann, Town Eng., re: Drainage at Sunderlands Subdivision and recommending steps to be taken to remedy the situation at an estimated cost of \$3,400.00.

Corres. #303 Letter Dated August 7, 1980, to Chili Highway Dept. from Raymer Ottman, Monroe County Water Authority, re: estimated cost of \$1,1913 plus \$185.00 for installation of 2 inch service and meter to serve Highway Garage.

Corres. #304 Letter dated August 11, 1980, to Supervisor James J. Powers from Donald J. Bergmann, Town Eng., re: Chili Memorial Park, Henderson addition costs for roadway and parking area alternatives and costs.

Corres. #305 Letter dated August 12, 1980, to Town Board from Justice Borzilleri re: attendance at required training School.

#213 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Justice Borzilleri be authorized to attend the Advanced Justice Training School to be held at MCC on August 15 & 16, 1980, expenses to be paid by voucher as incurred. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #306 Letter dated August 12, 1980, to Chili Town Board from Scott Carpenter, Assessor re: request to purchase typewriter and transfer funds.

#214 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that \$764.00 be transferred from Assessor Personal Services 1355.1 to Equipment 1355.2 AND BE IT FURTHER RESOLVED that the Assessor be authorized to purchase an IBM SELECTRIC II typewriter under state contract. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #307 Letter dated August 12, 1980, to Town Board from Justice Pelkey and Borzilleri advising that due to cutbacks being made in the District Attorney's budget, certain services may now have to be provided by the Town at additional costs and requesting an opportunity to discuss this matter and review their proposed budget with the Town Board.

#215 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Betty Bartok, 43 Baylor Circle, be reappointed as a member of the Planning Board with term of Office to expire in August, 1987. Seconded by Councilman Ramsey. Carried by the following vote: Councilman Pikueta, aye; Councilman Ramsey; aye; Councilman Nowicki, no; Councilman Criddle, aye; Supervisor,

no.

#215 A RESOLUTION #215be tabled.

#216 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that \$4000.00 be transferred from Parks Personal Services A7110.1 to Recreation Personal Services A7310.1 Seconded by Councilman Pikueta. Carried Unanimously.

#217 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that \$2,500.00 be transferred from Parks Personal Services A7110.1 to Parks Contractual A7110.4. Seconded by Councilman Ramsey. Carried Unanimously.

#218 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that \$500.00 be transferred from Public Works Personal Services 1490.1 to Supt. of Hws. Personal Services 5010.1. Seconded by Councilman Pikueta. Carried Unanimously.

Corres. #308 Letter from Caroline Rago requesting a block party on Alger Dr. from noon to 9 P.M.

#219 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Alger Dr. be closed on August 30, 1980 from noon to 9 P.M. for the purpose of a block party, AND BE IT FURTHER RESOLVED that the Sheriff's Dept. and The Fire Dept. be so notified of this. Seconded by Councilman Criddle. Carried Unanimously.

#220 RESOLUTION OFFERED BY COUNCILMAN PIKUETA

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                |             |
|--------------------------------|-------------|
| General Fund Vo. Nos. 868--950 | \$23,682.62 |
| Highway Fund Vo. Nos. 442--519 | 49,803.75   |
| Rev. Shar. Vo. No. 4           | 6,035.00    |
| Hillary Drain. Vo. No. 10      | 34.52       |

Seconded by Supervisor Powers. Carried Unanimously.

COUNCILMAN RAMSEY asked about the possibility of paving the entrance to Ranchmar Park SUPERVISOR POWERS will ask Ralph to dump some extra in there. COUNCILMAN RAMSEY REQUESTED WEIGHT limit signs on Archer Rd. SUPERVISOR POWERS said some of our own trucks will violate that. He has had no complaints forthat. What weight limit did you want? COUNCILMAN RAMSEY said 4 ton was discussed before.

COUNCILMAN PIKUETA reports that the reports on the 3 dumping sites are in Albany DEC and being investigated. SUPERVISOR POWERS said both Chili sites are not suitable per the Public Works committee.

#221 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that a dumping and Filling without Permit Ordinance be held for Public Hearing on Sept. 3, 1980, at 9 P.M. Seconded by Councilman Nowicki. Carried Unanimously.

#222 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Resolution No. 199 be removed from the Table. Seconded by Councilman Pikueta. Carried Unanimously.

#223 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Local Law P-2-80 regarding minibikes/motor driven vehicles be adopted as submitted with the following amendment to section 5 for clarification purposes only"... nor is itintended to cover snowmobiles.." Seconded by Councilman Pikueta. Carried Unanimously.

The meeting was adjourned at 12:15 P.M.

n

Carol O'Connor  
TOWN CLERK Carol O'Connor

PUBLIC HEARING  
August 13, 1980

A Public Hearing was held by the Town Board, Town of Chili, on August 13, 1980, at 9:05 p.m. on the rezoning of 2575 Chili Avenue to C-1. The hearing was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, NY 14624. The hearing was called to order by Supervisor Powers.

ROLL CALL - Same as previously recorded.

MR. FRANK IACOVANGELO: We have made this application on behalf of Charles Cutaia, I have personally appeared before this board for a request for rezoning from RA-10 to C-2, and I am sure you recollect that hearing. I would like to refer to the minutes of that hearing and have those minutes entered into this meeting. Our original comments are the same. The reason for the request is the same. If there are additional questions, I would be happy to answer them. We have, on behalf of Mr. Cutaia, applied for a rezoning from RA-10 to C-1 with conditional use. They have recommended this to the Town Board, and we are the Town Board to rezone this C-1 with conditional use.

COUNCILMAN NOWICKI: What position is that going to put this Board in with their appeal in courts?

MR. KELLY: The papers with original appeal were filed to protect their legal position for they have certain time restrictions to file. They have indicated that this should in no way prejudice their decision or desire for application for C-1.

MR. IACOVANGELO: We found ourselves timewise, to be at a loss for appeal time if we had to wait for the Planning Board referral to the Town Board and for another hearing. While we did not expect a denial for C-1, our appeal time had expired, and if we had not appealed and were denied tonight, we would have lost the right to appeal from the original appeal that was made. I haven't really discussed the furtherance of the appeal with Mr. Cutaia. He wishes to operate a farm market with a nursery attached. That is his only base and business and the only interest in the land. He doesn't own any adjacent property or contemplate getting any. He is not a developer or investor.

COUNCILMAN NOWICKI: Why the appeal?

MR. IACOVANGELO: We certainly would have been at a loss if you denied us tonight.

COUNCILMAN NOWICKI: If you granted this, you are going to retract this appeal?

MR. IACOVANGELO: (after discussion with Mr. Cutaia) He is not sure he is willing to withdraw the appeal.

JEROME BRIXNER, 14 HARTOM RD. As I understand the conditional use is for Garden supply, which is hardware, home furnishings, health, food, furniture and department stores. Am I correct?

SUPERVISOR POWERS: I am not sure what you are saying.

MR. BRIXNER: Under a C-2, there are permitted uses?

SUPERVISOR POWERS: This is for C-1, not C-2.

MR. BRIXNER: They are not permitted under C-1 unless Conditionally granted?

SUPERVISOR POWERS: Right.

MR. BRIXNER: I would think this would be a good addition to our town. My only comment is on the dumpster, is there any regulations dealing with that?

SUPERVISOR POWERS: It is in the Zoning Ordinance that they have to be enclosed. We will look into it.

**Gates-NEWS-Chili**

1269 CHILI AVENUE • ROCHESTER, NEW YORK 14624

Date.....*8-8-80*.....

THIS IS TO CERTIFY THAT THE ATTACHED LEGAL NOTICE(S) WERE  
PUBLISHED IN THE

**GATES-CHILI NEWS**

Issue Dated.....*8-6-80*.....

*Geraldine C. Snyder*  
.....  
Notary

GERALDINE C. SNYDER  
NOTARY PUBLIC, State of N.Y. Monroe Co.  
My Commission Expires March 30, 19*81*

*Patricia M. Smith*  
.....  
Patricia M. Smith  
Publisher

*Min. Book - Aug 1980*  
*Certain Rezoning*

## Legal Notice

### NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of Chili at the Chili Town Hall, 3235 Chili Ave., Rochester, N.Y. 14624 at 8:45 P.M. O'clock on the 13th day of August 1980, Purpose of public hearing is for a **REZONING** of property owned by Charles Cutala, located at 2576 Chili Ave.

(formerly Carl's Nursery)  
Rochester, N.Y. from RA-10  
(rural agriculture 10 acre  
lots) to C-1 (neighborhood  
commercial).

PLEASE TAKE FURTHER  
NOTICE that at said time  
and place an opportunity will  
then and there be given to all  
persons to be heard on such  
application.

Dated: August 8, 1980  
Carol O'Connor,  
Town Clerk

MS. KAY ALLARD, 50 BRIGHT OAKS DRIVE: What about the traffic? It is very hard to get in and out of there. Is that going to be a problem?

SUPERVISOR POWERS: I don't foresee it as such. We haven't had a problem with it.

MS. ALLARD: We haven't had anything very busy down there.

SUPERVISOR POWERS: No. We have had no accidents as a result of that road. We have put that light in at Westside Drive because the accidents were at the west side section. Mr. Cutala have you found a problem?

MR. CUTALA: Not to my knowledge.

SUPERVISOR POWERS: I have had no complaints or inquiries as to that. It can be difficult to get out of many intersections at various times.

MR. BRIXNER: 5 years is the period of time on the conditional use?

COUNCILMAN CRIDDLE" Yes.

COUNCILMAN NOWICKI: Anyone know if any stipulations were attached to the conditional use?

MR. IACOVANGELO" None that I know of.

The hearing was closed at 9:16 P.M.

*Carol O'Connor*  
Town Clerk, Carol O'Connor

PUBLIC HEARING  
August 13, 1980

A public hearing was held by the Town Board, Town of Chili, at 9:18 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624, to hear the Meadowbrook Farms Sec. 3 traffic control application. The Hearing was called to order by Supervisor Powers.

ROLL CALL: Same as previously recorded.

MICHAEL LABUE, REPT. W. D. HASSETT, INC.: Pursuant to the New York State Vehicle and Traffic Law, Section 1660 (a) W.D. Hassett has proposed in writing certain questions to ask the Town Board to pass vehicle and traffic enforcement. A copy of this proposal was sent to Supervisor Powers. Since that time, I have been in discussion with Mr. Kelly concerning the legal ramifications of the property and I have not received any correspondence indicating the Board would be against such a proposal.

SUPERVISOR POWERS: When you spoke of the Meadowbrook complex you mean in it's entirety because theis local law concerns itself with only Section 3. Why does it not include all of it?

MR. LABUE: We manage section 3. We are responsible for only 2 of the 3 sections. We control section 2 and 3.

SUPERVISOR POWERS: To make this all encompassing, would we have to request for section 2 and 3?

MR. KELLY: Section 3 was the only reference in their letter.

SUPERVISOR POWERS: Do you want it just to cover section 3?

MR. LABUE: The request refers to Meadowbrook West, which includes sections 2 and 3.

COUNCILMAN NOWICKI: Then this local law is incorrect as written.

MR. KELLY: It is written as they described it, section 3 d/b/a Meadowbrook West. I think section 2 can just be added.

COUNCILMAN NOWICKI: Would you like to modify that?

MR. LABUE: Yes.

SUPERVISOR POWERS: What about the posting of signs?

MR. KELLY: They have to be posted in accordance with the vehicle and traffic law. It is all done under the Highway Superintendent at Town Expense. There is an indication that there will be some reimbursement. They have indicated they will make an effort to reimburse the Town. This is a Town responsibility if you want that position to provide the service. It is no more or less than the services you provide to other roads in the Town. If you deny it, they have to put their own traffic control program in there.

MR. LABUE: It is my understanding that W.D. Hassett will be responsible for the cost of any sign.

COUNCILMAN PIKUET: Where in that complex are sections 2 and 3?

SUPERVISOR POWERS: 3 is completely to the rear of the project.

MS. SHARON ROBERTS: The pool is right in the middle of both entrances.

SUPERVISOR POWERS: Section is to the rear of the project.

MS. ROBERTS: Yes. It goes on both roads. Section 2 is the southwest, front.

COUNCILMAN RAMSEY: How much roadway is in section 1?

MS. ROBERTS: One side road.

COUNCILMAN CRIDDLE: Meadowbrook West is section 2 and 3?

MS. ROBERTS: Right.

COUNCILMAN CRIDDLE: It might not take too long to effect an ordinance that would encompass all three. It might be wise rather than to post sections 2 and 3 and create confusion in there. We should defer this until we get an agreement with section one to do this whole thing. Then we can post the whole complex.

MR. LABUE: I don't know how much traffic there is going to section 2 and 3 that would effect section 1 or vice versa.

MS. ROBERTS: You don't have to go through section one.

COUNCILMAN CRIDDLE: Can section one stand on it's own?

COUNCILMAN NOWICKI: Have you approached the owner of section one to participate with you on this?

MS. ROBERTS: No, I have not.

COUNCILMAN NOWICKI: Don't you think it is a good idea to explore that avenue?

COUNCILMAN CRIDDLE: I think you are reluctant to do this, but the board thinks it would be better.

MS. ROBERTS: We have 284 units as compared to 116.

COUNCILMAN CRIDDLE: A little over two times the units.

SUPERVISOR POWERS: If we get into no parking, we are going to have to come up with a parking ordinance somewhere down the line.

MR. KELLY: That is true, but this is a separate matter. The other is general no parking as soon as we make a clear cut determination on that.

SUPERVISOR POWERS: Who would be responsible for snow removal?

MR. KELLY: That is still their responsibility. It is set up so it comes under the jurisdiction of the Supt. of Hwys. because the mechanics of designating these highways is something the Board cannot do at this point.

SUPERVISOR POWERS: During a storm, this would allow the Town to call in a truck to pull out abandoned cars?

MR. KELLY: That is right.

COUNCILMAN CRIDDLE: What is your opinion on holding action on this?

MR. KELLY: The sensible way is to have the complete complex in one application. The shopping centers of the Town have the same problem. We are trying to get them all on one application together. Unless they won't cooperate.

MR. LABUE: If I submit this section one, would there have to be another hearing?

MR. KELLY: Probably. A letter from the principals of section one. Without that letter I can't do anything.

COUNCILMAN CRIDDLE: Who is your counterpart in section one?

MS. ROBERTS: Art Melone.

MR. LABUE: This should read Meadowbrook Farms Assoc., and Meadowbrook Partners if section one does not cooperate.

MR. CRIDDLE: IF THAT IS THE CASE, we will proceed on this but I personally would like to see the whole complex covered.

JEAN PHILLIPS: 80 BALLANTYNE RD.: Isn't this setting a dangerous precedent? What if Roberts Wesleyan wants this same thing?

SUPERVISOR POWERS: That may happen.

JOE KLAPP, 15 CHILI-SCOTTSVILLE RD: After signs are posted, do you go in and plow?

SUPERVISOR POWERS" No.

MR. KLAPP: This just gives the sheriff the right to go in there and impose traffic laws.

COUNCILMAN NOWICKI: I would like the record to show we are going to be responsible for maintenance, repair, and replacement of these signs.

MR. KELLY: Right. It becomes a town responsibility. It is your indication that you will initially defer the cost of these sign installations?

MR. LABUE: Right.

The hearing was closed at 9:40 P.M.

*Carol A. O'Connor*  
Town Clerk, Carol A. O'Connor

T O W N B O A R D  
September 3, 1980

A meeting of the Town Board, Town of Chili, was held on Sept. 3, 1980, at 8:00 P.M. in the Chili Administration Offices 3235 Chili Ave., Rochester, NY 14624. The meeting was called to order by Supervisor Powers.

The invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Criddle, Councilman Nowicki, Supervisor Powers.

ALSO PRESENT: Mrs. O'Connor, Town Clerk; Mr. Kelly, Town Atty. Mr. Chudyk, Supt. of Hwys., Mr. Kiselycznyk, Town Eng. Mr. Miller, Deputy Town Atty. Mr. Vail, Ins. Counselor.

The Town Board Minutes of the meeting held on July 16, 1980, were amended and approved as amended.

RODNEY JONES: 122 OLD CHILI SCOTTSVILLE ROAD, PASTOR; Commended the Board for unanimously taking a stand against the Rochester Drive-In! It reminds him that the purpose of civil government is to stop evil and encourage good. Our reason for coming here tonight is our desire to start a Christian School in our church. The importance of this is that a number of us have had a growing conviction that we should have harmony between home, school, and church. We have stopped the Christian school called Grace Cutler Christian School. We had contacted the Gates Chili Superintendent of Schools last November. He told us what to do to begin an approved school. Today, we opened our school with approximately 50 students. Since 1970, There have been 4 new schools started using the eccelerated christian education. We sought counsel from our school consultant and the office of the Christian Law Assoc. in Cleveland, Ohio, and they told us it was not necessary to go before the Town or any other authority. We accepted their council as they had been part of starting the Christian School movement. We have since been cited on three issues, one our building cannot house a dual occupancy, church and school, and secondly that our structure is in violation of Town Law for not getting Planning Board Approval. The council we received is that since our school is an much a part of our church and ministry, that there would not need to be a change in occupancy as we are the same people running the school and running the church. We have a christian church curriculum. We are servicing Christian Parents. The conviction is growing among us that this is the answer for public education will not be changed. We have come to this meeting to indicate why we have done what we have done and to appeal to you to consider our case. This morning I received a summons to appear before the Court here and a summons to stop the school immediately and close it, which in all honesty, I don't feel I can do. I feel the parents don't want to close it either. If you will check my record, you will see that I have always conformed to the Town Lan. Noew of the pastors I contacted in Livingston or Monroe County appeared before the Town Boards. If we should lose this case, it would be an opening to close the schools which have been operating in the area. We considered sending our childredn to other christian schools, but found their enrollment was filled and felt there was no other alternative but to start our own school. This is one ministry under one roof with one occupancy. This is simply an extension of the ministry of the school and the school is not secular in any sense. If the Town of Chili were to refuse us to open our doors, it would appear the Town of Chili would be prejudiced and speaking our against religiou-~~in this town~~; I have no other choice. By conviction, I have only to send my son to a Christian School. We could not find any other place to educate our children the Christian way.

We haven't got the approval of the Fire Marshal. We tried to get this fire inspection but the Fire Marshal will not come out until this matter is resolved here in the Town Council. According to New York State Law, all children attending our school will be considered as truant. This happened in the Town of Gates.

GORDON WINGHART, BELLMAWR DRIVE: I worked very closely with Town Ward in making the building conform to a single dwelling. We changed our original plans in many ways to conform. We do have a certain occupancy and a fire underwriters inspection on our previous discussions with the Town. I have copies of the drawings I can leave with the Board, which do indicate the classrooms and revisions made. That is all the information I have on the one story structure question.

CLIFTON VANZANT, TRUSTEE, GRACE COVENANT CHURCH: (Expressed his concern as a Christian parent). Initially I was going to keep my children in Brasser one more year and then move them over here. I came upon a spiritual consideration that the best thing I could do was to trust him with my children. I was able to keep aside my hesitations. I have no qualms about Brasser being a good school. My wife and I want our children to have the opportunity to have a Christian Education, something we never had. The church has spent in excess of \$100,000 to bring the school in line with many codes. We feel we meet any type of code. I would entrust my children to school there. I spent many nights constructing that school. It is as sound and fire resistant as we could make it based upon the fire regulations at that time. We were not trying to circumvent the Town. We acted upon advice of council. I would hope there is some way to correct this situation and will do anything we can to work with you rather than have us tear down this building.

JAMES HUNTINGTON, ASST. PASTOR: Gave his support to Grace Covenant Church

SUPERVISOR POWERS: Thanked everyone for coming down and making the Board more aware of the problem. The Board cannot do anything tonight for them. It is out of their jurisdiction. The Board is not against this type of school but is concerned for the safety of all the people inside that school. COUNCILMAN CRIDDLE: expressed the Board must work within a framework of rules and regulations and Town Officials. He also hoped this could be resolved. MR. MILLER stated all churches must comply with the town laws and appear before the Zoning and Planning Boards.

DUNTMIG NASSO, 197 KINGS ROAD: requested a Fire Inspector be sent down to the Church to see that all violations have been corrected.

The Town Board was adjourned to Public Hearing at 9:25 P.M. and reconvened at 9:26 P.M. to clear the hall. The Board recessed from 9:26 P.M. to 9:35 P.M. and then adjourned to the Public Hearing on the Amendment to Dog Ordinance. The Town Board reconvened at 9:38 P.M. All members still present.

#224 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

Resolved that Section 521 of the Dog Ordinance be revised to read:

all dogs shall be relicensed on year from the date issuance of the license...  
Seconded by Councilman Pkuet, Carried Unanimously.

The Town Board was adjourned to the Public Hearing on Local Law P-5-80 at 9:40 P.M. and reconvened at 10:00 p.m. Roll Call--same as previously recorded.

#225 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

Resolved that Local Law P-5-80 be adopted subject to the changes made at the Public hearing by the Town Board.

Seconded by Councilman Ramsey. Carried Unanimously.

CORRES. #3091 Memo dated August 7, 1980, to Supervisor Powers from William Kiselyczynk, Erdman Anthony, Assoc., re: storm sewer inspection, Red Bud Road, advising that no obstructions were found in the system and it is operating properly and at full capacity.

CORRES. #310 Memo dated August 11, 1980, to Supervisor Powers from William Kiselyczynk, Erdman Anthony, Assoc., re: storm sewer inspection, Gary Drive, advising that they feel the system is operating properly and at capacity and in order to prevent further flooding, the sewers will require periodic flushing.

CORRES. #311 Letter dated August 18, 1980, to Town of Chili from Monroe County Water Authority, re: Lexington Sub., Secs. 8 and 10, advising that they are accepting the watermain and appurtenances in said subdivision as a part of their system.

CORRES. #312 Letter dated August 18, 1980 to Supervisor Powers, from Graham E. Chamberlain, Dir. of Street Lighting, Rochester Gas & Electric, re: Lighting proposal for Chestnut Ridge Road and Starlite and Chili Avenue and Stottle Road.

#226 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

Resolved that Supervisor Powers be authorized to sign the agreement with Rochester Gas & Electric Corp. for installation of three lights on Chestnut Ridge at Starlite Drive for an additional annual cost of \$290, and four lights at Chili Avenue at Stottle Road for an additional annual cost of \$310. Seconded by Councilman Ramsey. Carried Unanimously.

CORRES. #313 Summons and Show Cause Order served on Town Clerk on August 20, 1980, re: Stars 'N Cars, Inc., vs. The Town of Chili. Copies have been given to Mr. Kelly and Councilman.

CORRES. #314 Letter dated August 20, 1980, to Town Board from Thomas B. Dintruff, President, Genesee Explosive Sales, appealing the decision of the Chili Planning Board to deny his request to subdivide property at 241 and 243 Paul Road.

#227 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that a public hearing be held on September 17, 1980, at 8:30 P.M. for the appeal of the Planning Board's denial of request to subdivide property at 241-243 Paul Road made by Thomas B. Dintruff. Seconded by Councilman Piquet. Carried Unanimously.

CORRES. #315 Copy of letter dated August 21, 1980, to Town of Chili, Attn: Scott E. Carpenter, Assessor, from Charles H. Schubert, Postmaster, Rochester, NY, re: name change of Lee Garden Apartments to Lexington Manor Apartments, advising that it was mutually agreed with the owner of the property that the street address of Lexington Manor Apartments is not acceptable and recommending that the Chili Avenue address be used by residents.

CORRES. #316 Letter dated August 22, 1980, to Chili Town Board from S. Joseph Goodyear, Vice President, Farash Construction Corp., requesting that an ordinance be passed covering traffic enforcement in Meadowbrook Farm Sec. 1.

#228 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that a public hearing be held on September 17, 1980, at 9:00 p.m. for the local law P-6-80--regarding traffic enforcement in all of Meadowbrook Farms.  
Seconded by Councilman Ramsey. Carried Unanimously.

CORRES. #317 Letter dated August 26, 1980, to Supervisor James Powers from Brian and Judy Tenny, 65 Hubbard Drive, N. Chili, expressing appreciation for the stand taken against showing of obscene movies at the Rochester Drive In.

CORRES. #318 Letter dated August 27, 1980, to James J. Powers from Francis E. Drake, Jr. Rochester Gas & Electric Corp., advising that they are requesting rate increases which would take effect in August, 1981.

CORRES. #319 Copies of reports submitted by Bareham Security Agency for parks patrol.

CORRES. #320 Minutes of Chili Recreation & Youth Commission meeting held July 15, 1980, submitted.

CORRES. #321 Minutes of Chili Conservation Board meeting held July 22, 1980, submitted.

CORRES. #3221 Letter dated August 7, 1980, to Chili Town Board from Robert Hunter, Chairman, Planning Board, re: September meeting date.

#229 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

Resolved that the regular meeting of the Chili Planning Board be held on September 16, 1980, due to a conflict with the Primary Elections. Seconded by Supervisor Powers. Carried Unanimously.

CORRES. #323 Letter dated August 16, 1980, to Chili Town Board from Deborah S. Voorheis, submitting her resignation as Part-time Zoning Enforcement Officer effective September 29, 1980, and recommending that a full-time person be hired to fill the vacancy.

#230 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the resignation of Deborah S. Voorheis as Part-Time Zoning Enforcement Officer be accepted effective September 29, 1980. Seconded by Supervisor Powers. Carried Unanimously.

CORRES. #324 Memo dated August 20, 1980, from Kathleen Powers to Chili Town Board re: settlement of insurance claim for damage done to Highway Garage doors.

#231 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the 1980 Budget for the Town of Chili be amended to increase Estimated Revenues (Insurance Recoveries) in the amount of \$7,662.98 and Appropriations (Highway Garage Contractual) in the same amount to cover the cost of repairs of damages caused by an automobile to the Highway Garage Doors.  
Seconded by Councilman Ramsey. Carries Unanimously.

CORRES. #325 Memo dated August 26, 1980, to Supervisor Powers and Town Board from Carol O'Connor, Town Clerk, re:

## Deputy Clerk.

## #232 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Mary Bleier, 29 Mercedes Drive, Rochester, NY be paid at the rate of \$4.10 per hour for the position of Deputy Town Clerk on a part-time basis. Seconded by Councilman Nowicki. Carried Unanimously.

CORRES. #326 Letter dated August 27, 1980, to Chili Town Board from Robert E. Connolly, Building Inspector re: NYS Building Officials Conference.

## #233 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Robert E. Connolly, Building Inspector, be authorized to attend the NYS Building Officials Conference to be held at Ellensville, New York on September 17-19, 1980, expenses to be paid by voucher as incurred. Seconded by Councilman Criddle. Carried Unanimously.

CORRES: #327 Memo dated September 2, 1980, to Chili Town Board from Daniel F. Rose, Dog Control Officer re: transfer of funds.

## #234 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that \$200.00 be transferred from Dog Control Equipment A3510.2 to Dog Control Personal Services A3510.1. Seconded by Councilman Ramsey. Carried Unanimously.

CORRES: #328 Letter dated September 2, 1980, to Chili Town Board from Clayton L. Ess, Fire Marshal, requesting that the Assessors typewriter be transferred to his department and appropriate moneys be transferred to the Assessor from his equipment account.

## #235 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that upon the request of Clayton L. Ess, Fire Marshal, that the Assessor's typewriter be transferred to his department and the Fire Marshal's typewriter be traded in on the new machine being purchased by the Assessor, AND BE IT FURTHERRESOLVED that \$80.00 be transferred from Fire Marshal Equipment 3410.2 to Assessor Equipment 1355.2 to cover the difference in trade-in value between the two machines. Seconded by Councilman Pikuets. Carried Unanimously.

CORRES. #329 Letter dated September 3, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: small tools.

## #236 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Superintendent of Highways be authorized to purchase an additional \$1,000.00 of small tools. Seconded by Councilman Nowicki. Carried Unanimously.

CORRES. #230 Memo from Conservation Board, re: EMC representative and NYS Assoc. of Conservation Commissions Conference.

## #237 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that David Robbins, 54 Springbrook Drive, to be appointed as Chili representative to the Monroe County Environmental Management Council. Seconded by Councilman Nowicki. Carried Unanimously.

## #238 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that David Robbins, Chairman of the Chili Conservation Board, be authorized to attend the NYS

Assoc. of Conservation Comm. Conference at Grossingers on October 3-5, 1980, expensed paid by voucher as incurred. Seconded by Councilman Ramsey, Carried Unanimously.

CORRES. #331 Letter dated September 1, 1980, to Town Board from Kenneth DiFiore expressing his thanks for the opportunity to work in the Parks Dept. during the summer.

CORRES. #332 Letter dated September 3, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: transfer of funds.

#239 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Superintendent of Highways, \$20,000.00 be transferred from Item 4 Other Governments Contractual DS5148.4 to Item 3 Contractual DM5130.4 and \$10,000 be transferred from Item 4 Other Governments Contractual DS5148.4 to Item 1 Contractual. Seconded by Supervisor Powers, Carried Unanimously.

CORRES. #333 Letter dated September 3, 1980, to Town Board from Stephen A. Chudyk, Supt. of Highways, stating that the bid submitted by Monroe Tractor and Implement Co., Inc. for an excavator for \$63,400.00 substantially meets the published specifications.

#240 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Superintendent of Highways, Stephen A. Chudyk, the low bid received from Dow & Company, Inc. for an excavator be disallowed as not meeting specifications, AND BE IT FURTHER RESOLVED that upon his recommendation bid for an excavator be awarded to Monroe Tractor & Implement Co., Inc., in the amount of \$63,400.00 with trade-in, per specifications bid on July 16, 1980; payment to be made as follows: \$3,400.00 from Highway Item 3 Equipment; \$60,000.00 by bonding AND BE IT FURTHER RESOLVED that the Supervisor be authorized to obtain appropriate bonding from *Marine Midland* at an interest rate of *11.59%*. Seconded by Councilman Nowicki. Carried Unanimously.

CORRES. #334 Application for Comprehensive Plan for state aid for Youth Program.

#241 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Supervisor be authorized to sign the application for the Comprehensive Plan for 1981 for the N.V.S. Division for Youth. Seconded by Councilman Piquet. Carried Unanimously.

CORRES#335 Letter dated September 2, 1980, to Supervisor James Powers from Erdman Anthony, Assoc., re: Henderson Park, Payment #4.

242 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Town Engineer, \$7,733.35 to be released to Speer and Hendershott General Contractors for work completed in the Henderson Park addition leaving a balance of \$400.00 due on the contract, AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to issue checks in that amount. Seconded by Councilman Ramsey, Carried Unanimously.

CORRES. #336 Letter dated September 3, 1980, to Supervisor James J. Powers from Erdman Anthony, Assoc., re: Chestnut Ridge Manor Sub., Sec. 1 & 2.

#243 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that upon the recommendation of the Town Engineer, funds being held in Marine Midland Bank for Chestnut Ridge Sub., Sec. 1 and 2, in the amounts of \$5,110.74 and \$9,229.70, respectively, be released to the developer as required work has been completed to the satisfaction of the engineer.  
Seconded by Councilman Nowicki. Carried Unanimously.

#244 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the estimated budget for Chili Drainage Improvement Area No. 1 for 1981 be established in the amount of \$68,943.60 with tax to be raised in the amount of \$11,943.60 AND BE IT FURTHER RESOLVED that a Public Hearing be held on the 1981 budget on September 26, 1980, at 7:00 P.M. Seconded by Supervisor Powers. Carried Unanimously.

#245 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the estimated budget for Morgan Road Water District for 1981 be established in the amount of \$40,000.00 with tax to be raised in the amount of \$4,000.00 AND BE IT FURTHER RESOLVED THAT A PUBLIC HEARING ON THE 1981 budget be held on September 26, 1980, at 7:02 p.m. Seconded by Supervisor Powers. Carried Unanimously.

#246 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the estimated budget for Riverdale Water District for 1981 be established in the amount of \$10,488.02 with tax to be raised in the amount of \$10,400.02 AND BE IT FURTHER RESOLVED that a public hearing be held on the 1981 budget on September 26, 1980, at 7:04 P.M. Seconded by Supervisor Powers. Carried Unanimously.

#247 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the estimated budget for Chili Water District for 1981 be established in the amount of \$176,781.89 with tax to be raised in the amount of \$165,981.89 AND BE IT FURTHER RESOLVED that a public hearing on the 1981 budget be held on September 26, 1980 at 7:06 P.M. Seconded by Supervisor Powers.

#248 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be set on the Clifton Lighting District Budget for 1981 on September 26, 1980, at 7:08 P.M. Seconded by Supervisor Powers. Carried Unanimously.

#249 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be held on the Chili Industrial Park Lighting District budget for 1981 on September 26, 1980 at 7:10 P.M. Seconded by Supervisor Powers. Carried Unanimously.

#250 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be held on the 1981 contract for ambulance protection on September 26, 1980 at 7:12 P.M. Seconded by Supervisor Powers. Carried Unanimously.

#251 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be held on September 26, 1980 at 7:22 P.M. for the 1981 contract for Fire Protection with the Chili Fire Dept. Inc. seconded by Supervisor Powers. Carried Unanimously.

#252 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be held on September 26, 1980

at 7:32 p.m. for the 1981 contract for fire protection with the Clifton Fire Dept. Inc. Seconded by Supervisor Powers. Carried Unanimously.

#253 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be held on September 26, 1980 at 7:37 p.m. for the 1981 contract for the Fire Protection with the Riverdale Fire Dept. Inc. Seconded by Supervisor Powers. Carried Unanimously.

#254 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be held on September 26, 1980 at 7:42 p.m. for the 1981 contract for fire protection with the Scottsville Fire Dept. Inc. Seconded by Supervisor Powers. Carried Unanimously.

#255 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a public hearing be held on September 26, 1980 at 7:45 p.m. for the purpose of hearing proposed use for the 1981 Federal Revenue Sharing Budget. Seconded by Supervisor. Carried Unanimously.

#256 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that \$1,421.00 be transferred from General Contingent fund to Unallocated Insurance. Seconded by Councilman Ramsey. Carried Unanimously.

#257 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that \$1000.00 be transferred from Cemeteries Contractual to Parks Contractual. Seconded by Councilman Nowicki. Carried Unanimously.

#258 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that \$2000.00 be transferred from Parks Contractual Personal Services to Parks Contractual. Seconded by Councilman Pikuets. Carried Unanimously.

#259 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that \$7,500.00 be transferred from Youth Program Personal Services to Youth Programs Contractual. Seconded by Councilman Pikuets. Carried Unanimously.

#260 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills paid as rendered:

|                                |             |
|--------------------------------|-------------|
| General Fund Vo. Nos. 951-1004 | \$21,811.93 |
| Highway Fund Vo. Nos. 520-557  | 14,189.51   |
| Federal Revenue Sharing Vo. 5  | 6,593.31    |

Seconded by Councilman Pikuets. Carried Unanimously.

#261 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Resolution #251 of August 13, 1980, be removed from the table. (B. Bartok for Planning Bd.) Seconded by Councilman Nowicki. Carried Unanimously.

#262 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Betty Bartok be reappointed as a member of the Planning Board with a term of office to expire in August of 1987. Seconded by Councilman Nowicki. Carried Unanimously.

#263 RESOLUTION OFFERED BY SUPERVISOR POWERS.

#263 (continued)

Resolved that the Chili Soccer Association be authorized to use the Highway Departments Flatbed trailer on September 7, 1980 from 10 A.M. at the annual picnic at the Churchville Park. Seconded by Councilman Ramsey. Carried Unanimously.

#264 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Town Engineer be authorized to prepare the necessary information to submit the application for the S.O.S. Safer Local Roads and Streets Program and be it further resolved that the Town Engineer be authorized to file said application. Seconded by Councilman Pikut. Carried Unanimously.

MEETING ADJOURNED AT 11:15 P.M.

*Carol O'Connor*  
Carol O'Connor, Town Clerk

PUBLIC HEARING  
September 3, 1980

A Public Hearing was held by the Town Board of the Town of Chili at 9:35 P.M. on the Amendment to the Dog Ordinance in the Chili Administration Building Offices located at 3235 Chili Ave. Rochester, N.Y. 14624 The Hearing was called to order by Supervisor Powers.

ROLL CALL: Same as previously recorded.

Supervisor Powers: This is a very minute change in the ordinance regarding the dog license.

Mr. Kelly: Have you got the notice there? Section 521 reads all dogs shall be relicensed one year from the date of the of the license, which is recommended by your dog warden to conform with state law. The law now reads licnese to expire on January 1st. The dog warden wants to bring unlicensed dogs into conformity.

The hearing was closed at 9:38 P.M.

Carol O'Connor, Town Clerk

P U B L I C H E A R I N G  
September 3, 1980

A Public Hearing was held by the Chili Town Board, Town of Chili on September 3, 1980 at 9:40 p.m. in the Chili Administration Offices 3235 Chili Ave. Rochester, N.Y. 14624, on the Local Law P-5-80. The hearing was duly advertised in local paper. The hearing was called to order by Supervisor Powers.

ROLL CALL: Same as previously recorded.

COUNCILMAN NOWICKI: Will this be enforced through the appearance of ticket process?

MR. KELLY: Yes. Through the enforcement officer.

COUNCILMAN NOWICKI: This is pretty inclusive.

MR. KELLY: I think it is a mechanism to use in connection with the flood zoning and general code.

COUNCILMAN PIQUET: How large of an area does the two foot alteration encompass?

MR. KELLY: Anything two foot. You have to have some area of judgement that lies with your enforcement officer. If he feels it can be handled one way, he can do so. It gives him the methods to improper filling and excavation. This will provide one mechanism.

COUNCILMAN CRIDDLE: If I had a terrace in my back yard, which I wanted to extend, that would apply here.

MR. KELLY: Yes.

COUNCILMAN RAMSEY: Would it apply to anyone who filled in a drainage ditch in front of their property?

MR. KELLY: That is right. Most of those drainage ditches are in front and are in right of way. There is no way they should do that in the first instance.

COUNCILMAN CRIDDLE: On this ordinance, it applies to all owners of real property in the town itself. Should that be and / or?

MR. KELLY: No. That is separate. Any modifications but two feet if it is a parcel. It is any modification of the topography on a parcel of land that is less than a quarter of an acre.

COUNCILMAN CRIDDLE: Suppose a person wanted to put in a flower bed; that is modifying the topography?

MR. KELLY: Right.

COUNCILMAN CRIDDLE: That would be a violation?

MR. KELLY: Right. I checked many ordinances. Obviously it is not going to have any effect in a practical matter. It is pretty hard to describe what would have an adverse effect or not.

SUPERVISOR POWERS: What about roads, like cutting a hill?

MR. KELLY: That would probably come under here in a technical reading of it. You can conjecture anything you want. If you wish to redefine the specifics, that can be done. I just don't know how to do it. It is very general.

COUNCILMAN RAMSEY: Less than a quarter of acre you won't need a permit for anything under two feet?

MR. KELLY: The idea was on any larger parcels of land, any modifications can be a concern because of its effect on surface water. If you find there is some difficulty in the this, you will hear from the Building Department and it can be revised accordingly. This was based on the Town of DeWitt

ordinance adopted in 1976. There are not a lot of existing ordinances unless you get into a drainage thing.

MR. KELLY: It has to relate itself on a reasonable effort control. I think if two feet creates a problem, you should use one foot or one foot and a half.

COUNCILMAN CRIDDLE: Leave the two feet in, just take out the one quarter acre.

MR. KELLY: Just whoever proposes to modify any parcel of land by more than two foot elevation-- for the record that is the revision. Drainage and water run off relates itself to any type of filling.

MR. MARCIONI: What if there is a case where the Town of Chili dumps big piles of debris all over your land and then refuses to clean it up and this creates a dump on your land as time goes by? I have asked the Supervisor several times to clean up this and two weeks ago he ordered the Building Inspector to issue an appearance ticket saying that I dumped on my land. I have asked Tom Ward and new building inspector but nothing seems to help. Now all the trouble comes to me. They asked me for the right to go on my property and clean the creek and as a good citizen I said yes, but remove all the debris after you clean the creek.

COUNCILMAN PIKUET: Is it possible to obtain a topography map showing two foot intervals or is that something the landowner would have to have to do --have it surveyed?

MR. KELLY: I don't think anyone was requiring an engineer drawing.

The hearing was closed at 10:00 p.m.

Carol O'Connor, Town Clerk

T O W N B O A R D  
September 17, 1980

A meeting of the Town Board, Town of Chili, was held on Sept. 17, 1980, in the Chili Administration Offices, 3235 Chili Avenue Rochester, New York, 14624. The meeting was called to order by Deputy Supervisor Claire Montgomery at 8:00 P.M.

The invocation was read by the Town Clerk, and followed by the Pledge Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Nowicki, Councilman Criddle, Deputy Town Supervisor, Claire Montgomery.

Also present; Mrs. O'Connor, Town Clerk, Mr. Kelly, Town Atty. Mr. Chudyk, Supt. of Highways, Mr. Bergmann, Town Eng., Mr. Vail, Ins. Counselor.

The minutes of the Town Board Meeting held August 13, 1980, were amended and unanimously approved as amended.

CLINTON VAN SANT, 5 WHITE BIRCH CIRCLE: I came before the Board two weeks ago from the Grace Covenant Church. I want to turn to tonight, a matter of accountability. I am looking to start a chain of thought. I am here to express my concern as a citizen.

(He reviewed the affidavits of the current trial and believe things have been taken out of context and these things will all be brought out at the trial. He also hoped the council would take an interest in the matter.

Corres: # 337 Letter dated September 3, 1980, to Supervisor Powers from David C. Powell, Reg. Traffic Eng. N.Y.S. D.O.T., re: File 26.13-386, Study 4795306, advising that they have completed their investigation of the need of a 3 color signal at Chili Scottsville Road and Beaver Road and do not feel it would be in the best interest of the public. They have installed 2, 12 inch lens flashers in place of the existing single 8 inch and will install stop bars with the word marking "stop" on the north and south approaches and a supplemental stop sign on the left side of Route 386 on the north approach.

Corres: #338 Letter dated September 4, 1980, to Town of Chili from Town of Riga serving notice of its intent to issue a Cable TV Franchise to Genesee County Video Corp.

Corres: #339 Letter dated September 4, 1980, To Town of Chili from Monroe County Water Authority re: Pine Valley Subd., Sec. 1, advising that they are accepting the water mains and appurtenances as part of their system.

Corres: #340 Financial Statements for 1978 and 1979 prepared by Tasket, May, McKeown & Ruggieri submitted by Chili Fire Dept., Inc.

Corres: #341 Letter dated to Carol O'Connor, Town of Chili from Ed Maher, Deputy Chief, Chili Fire Dept. Inc. Re: removals from active list.

#265 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED THAT UPON THE RECOMMENDATION OF THE Chili Fire Dept. Inc. the following names are removed from the list of active members,

Patrick McQueen, 3058 Chili Ave. Rochester, N.Y. 14624  
Ted Kolb, 907 Paul Road, Rochester, N.Y. 14624  
William Friday, 3100 Chili Avenue, Rochester, 14624  
Donald Chapman, 28 Blue Spruce Dr. Rochester, N.Y. 14624

AND BE IT FURTHER RESOLVED: That the Insurance Counselor, Mr. Vail, will be so notified of these removals. Seconded by Councilman Pikuett, Carried unanimously.

Corres: #342 Letter to Carol O'Connor, Town of Chili, from Ed Maher, Deputy Chief, Chili Fire Dept., Inc. re: Addition to active list.

#266 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Chili Fire Dept. Inc. that Robert Collins, 28 Fenton Road, Rochester, 14624 be added to the list of active volunteers. AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail, be so notified. Seconded by Councilman Nowicki. Carried unanimously.

Corres. #343 Letter Dated September 10, 1980, to Town Board, Town of Chili, from Clifford Tomer; re: Local Law prohibiting the consumption of alcoholic beverages in public areas, etc., as adopted by the Village of Churchville, and suggesting that the Town of Chili adopt similar legislation. Letter written on behalf of The Town Plaza Assoc.

Corres: #344 Mailgram to Supervisor Powers from Bureau of Census indicating that preliminary results show the Town Of Chili's population is 23,669 and the housing count is 7,534.

Corres: #345 Copy of letter dated August 28, 1980., To Rev. Rodney Jones, Grace Covenant Church from Robert Connolly, Bldg. Inspector, advising that they are in violation of the Town of Chili Zoning Ordinance, Art. 3, Sec. 3.043. (c) and ordering them to cease operations of their school facility.

Corres; #346 Copy of letter dated September 2, 1980, to Rev. Rodney Jones, Grace Covenant Church, from Daniel Miller, Deputy Town Attorney, advising that they are required to apply to the Planning Board for a conditional use and also that the structure is not in compliance with the N.Y.S. Building Code to allow it to be used for a parochial day school.

Corres: #347 Chili Dog Control Report submitted for August 1980.

Corres: #348 Reports submitted from BAREHAM Security from Park Guards.

Corres: #349 Minutes of Chili Recreation & Youth Comm. Meeting held August 12, 1980, submitted.

Corres: #350 Minutes of Chili Conservation Board Meeting held Sept. 2, 1980, submitted.

Corres; #351 Letter dated Sept. 16, 1980, to Town Board from Stephen Chudyk, Supt. of Hwys., re: bids for flat-bed trailer.

#### #267 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that a public hearing be held October 1, 1980, at 8:30 PM to open bids for the purchase of a 12 ton flat bed trailer for the Highway Dept. Seconded by Councilman Ramsey. Carried Unanimously.

The Town Board adjourned at 8:30 PM to the Public hearing and reconvened at 8:55 PM Roll Call--same as previously recorded.

Corres: #352 Request for funds dated Sept. 5, 1980 from Stephen Chudyk, Supt. of Hwys., re: purchase of replacement chipper.

Corres: #353 Letter dated Sept. 16, 1980, to The Town Board, from Stephen Chudyk, Supt. of Hwys., re: Public hearing for chipper.

The Town Board adjourned at 9:05 PM and reconvened at 9:35 PM Roll Call-- same as previously recorded.

Corres: #354 Letter dated September 11, 1980, to Chili Town Board, from Jim Christian, Deputy Fire Marshall, re: Seminar.

#### #268 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that James Christian, Deputy Fire Marshall, be authorized to attend the annual Fire Marshall's and Inspectors Seminar at the Academy of Fire Science in Montour Falls, NY, October 15--17, 1980. Expenses to be paid by voucher as incurred. Seconded by Councilman Nowicki. Carried Unanimously.

Corres; #355 Letter dated- September 14, 1980, to Chili Town Board from Jerome F. Brixner, chairman, Recreation & Youth Comm., recommending that scheme "B" be carried out for parking and access road for Henderson addition.

Corres. #356 Memo dated September 16, 1980, to Chili Town Board,  
from Carol O'Connor, Town Clerk, re: postage.

#269 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the Supervisor be authorized to issue a check in the amount of \$1,000.00, payable to the RMRS System, for additional postage on the postal meter. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #359 Letter dated September 16, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: letter of July 10, 1980, requesting the appointment by resolution of a fire coordinator.

Corres. #360 Letter dated September 16, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hws., re: request for funds of April 1, 1980, for purchase of fuel dispensing system.

Corres. #361 Letter dated September 16, 1980 to Chili Town Board from Donald J. Bergmann, Town Engineer, re: Bright Oaks Drainage Ditch, advising that the original contractor, Speer and Hendershott, does not wish to complete the work and is willing to relinquish the contract with no payment and enclosing an estimate from V & B Landscaping in the amount of \$3,000.00 to complete the project. Also, recommending that an additional \$1,200.00 be budgeted for stake-out of the ditch and obtaining verbal agreements from property owners for access and work details.

#271 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED the Contract between the Town of Chili with Speer and Hendershott, for the Bright Oaks Drainage Ditch, be relinquished with no payment to Speer and Hendershott AND BE IT FURTHER RESOLVED that V & B Landscaping be appointed to complete the work for \$3000.00 and that an additional \$1,200.00 be budgeted for stake-out of the ditch and for obtaining verbal agreements from the property owners for access and work details. Seconded by Councilman Criddle. Carried unanimously.

The Town Board recessed at 10:05 P.M. and reconvened at 10:20 P.M. Roll Call -- same as previously recorded.

Corres. #362 Letter dated September 16, 1980, to Chili Town Board from Donald J. Bergmann, Town Eng., re: Chili Memorial Park, Henderson Section, completion of access road and parking lot and recommending acceptance of a bid from V & B Landscaping in the amount of \$4,900.00.

#272 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the Henderson Section of Chili Memorial Park be completed in accordance with Mr. Bergmann's (Town Engineer) letter of September 16, 1980 -- V & B Landscaping be appointed to complete the access road and parking lot for \$4,900.00, AND BE IT FURTHER RESOLVED that this is subject to the General release from any and all claims from the present contractor. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #363 Letter dated September 16, 1980, to Supervisor James J. Powers, from William M. Kiselycznyk, Erdman, Anthony Assos., re: Request for Payment #1-- Davis Park, Phase 1B.

#273 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that upon the recommendation of the Town Engineer, Payment #1, be made to T-5 Enterprises in the amount of \$37,786.50, for work completed to date on Phase 1B--Davis Park Improvements, and be it further resolved that Supervisor Powers be authorized to issue a check in said amount, payment to be made with Federal Revenue Sharing Funds allocated in the 1980 budget. Seconded by Councilman Pikuet. Carried Unanimously.

Corres. #364 Draft of application for road & drainage improvements to Old Chili-Scottsville Road from Erdman, Anthony Assoc.

#274 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Supervisor Powers be authorized to sign the Safer Local Roads and Streets Program Project Application. Seconded by Councilman Pikuet. Carried Unanimously.

Corres. #365 Letter dated September 17, 1980, to Supervisor James J. Powers and Councilman, from J. Norman Vail, Insurance Counselor, recommending that collision coverage be removed on certain town vehicles.

#275 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Insurance Counselor, Mr. Vail, that collision coverage be removed on the following town vehicles: 1974 American Motors Wagon; 1974 Dodge 1/2 ton van; 1974 Dodge 1/2 ton Pick-up Truck; 1970 Ford dump truck; 1973 Chevrolet 1/2 ton pick-up truck; 1975 Ford Torino Sedan. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #366 Request for funds submitted by Stephen A. Chudyk, Supt. of Highways, for system 5 at an estimated cost of \$1,500.00.

Corres. #367 Letter dated August 11, 1980, and received September 17, 1980, to James J. Powers, Supervisor, from Chili Fire Dept., Inc., re: resolution adopted on August 11, 1980, creating a Fire Police Squad within the Chili Fire Dept., Inc.

#276 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the Town Board, Town of Chili, approves the creating of a Fire Police Squad within the Chili Fire Department, Inc. provided no guns or similar weapons, restraining devices, or similar equipment, are carried by the participants. Seconded by Councilman Pikuet. Carried Unanimously.

Corres. #368 Letter dated September 16, 1980, to Supervisor James Powers from Bruce N. Glaser, Loss Control Representative, The Hartford, re: meeting held with Town Highway employees on loss reduction.

Corres. #369 Request for funds submitted by Stephen A. Chudyk, Supt. of Hwys., re: 1½ inch water line for new highway garage addition at an estimated cost of \$1,500.00.

#277 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Stephen A. Chudyk, Supt. of Highways, is authorized to purchase a 1½ inch water line for the new highway garage addition at a cost not to exceed \$1,500.00, AND BE IT FURTHER RESOLVED that funds for this water line be taken from Federal Revenue Sharing, Entitlement period #11. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #370 Letter dated September 16, 1980, to Town Board from Patricia Schmitt, Vinwood Estates Assoc., urging the Town Board to consider hiring a consultant to protect the interests of the Town in the matter of the proposed airport expansion.

Corres. #371 Letter dated September 16, 1980, to Supervisor James J. Powers, from Donald J. Bergmann, Town Engineer, re: Request for payment -- Ascot Drive Swale.

#278 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Town Engineer, payment be made in the amount of \$2,460.00 to V & B Landscaping for work completed and inspected on the Ascot Drive Swale project, AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$1,975.61 from the Harmony Ridge Developers Fund and a check in the amount of \$484.39 from the Chili Drainage Improvement Area No. 1 account. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #372 Statement of Taxes for property on Chili Avenue, Tax Account No. 1701-100 (157.020-02-014), in the amount of \$7.71.

#279 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Supervisor Powers be authorized to issue a check for \$7.71 in payment of school taxes on property located on Chili Avenue and which property was deeded over to the Town of Chili by Mr. Sol Bachler, and filed in the County Clerk's office in June, 1980. Seconded by Councilman Nowicki. Carried Unanimously.

#280 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Supervisor Powers be authorized to obtain an Anticipation Note in the Amount of \$53,500.00 for Chili Drainage Improvement Area No. 1 at Midland Merino BANK for a one year period effective October 5, 1980, at an annual interest rate of 7.25 %, and BE IT FURTHER RESOLVED that he be authorized to make a principal payment of \$7,500.00. Seconded by Councilman Nowicki. Carried Unanimously.

## #281 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the 1981 tax rate for the individual drainage districts be established at \$2.00 per thousand dollars of assessed valuation. Seconded by Councilman Ramsey. Carried Unanimously.

## #282 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED THAT THE FOLLOWING ABSTRACTS AS PREPARED BY THE Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                 |             |
|---------------------------------|-------------|
| General Fund Vo. Nos. 1005-1048 | \$14,892.47 |
| Highway Fund Vo. Nos. 557-593   | \$33,820.69 |

Seconded by Councilman Ramsey. Carried Unanimously.

COUNCILMAN PIKUET mentioned roller skating on the tennis courts at Davis Park. MR. BRIXNER said we are looking at it Saturday morning and will check into it.

COUNCILMAN NOWICKI gave a copy of the Wheatland local law preventing all night parking from November 1 to April 1 to the Town Attorney and asked for him to look at it. COUNCILMAN NOWICKI also asked if any word was heard from General Code Publishing on the Zoning Ordinance. CLAIR MONTGOMERY said we should have it by the end of this week. COUNCILMAN NOWICKI asked for an update on CSEA and copies of the Individual Department Heads proposed budgets.

COUNCILMAN CRIDDLE noted that a meeting should be planned with the Board and Budget Officer to discuss the budget. He was also noted he was glad to see the Chestnut Ridge Road ditches are in the process of being built.

MR. JEROME BRIXNER, CHAIRMAN OF TOWN RECREATION & YOUTH COMM. mentioned that Davis Park looks good and the Henderson Roadways are real nice. He is waiting for a response from the Highway Department on the entrance to Ranchmar.

MEETING ADJOURNED AT 12:30 P.M.

dal

Town Clerk, Carol A. O'Connor

## P U B L I C H E A R I N G

September 17, 1980

A Public Hearing was held by the Town of Chili, on September 17, 1980, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624 at 8:30 P.M. to hear the appeal of the Planning Board decision re Dintruff Subdivision.

The hearing was called to order by the Deputy Town Supervisor, Clair Montgomery and was duly advertised in the Gares-Chili News.

ROLL CALL: Same as previously recorded.

MR. DINTRUFF: I was informed that you would have the copies of the map we had filed. The problem began because I sold two parcels of the original 37 acres. I wound up keeping roughly 18 acres. The conditions of sale were that everyone assign themselves to the future use of the property. I didn't consider it a subdivision until I came in to get the taxes. It was too late to do anything about it. We have a 100 foot side easement.

COUNCILMAN RAMSEY: That is an easement to the property?

MR. DINTRUFF: It is in my deed, a permanent easement. The Planning Board said I don't have any frontage on a public road and said it is denied. I don't want to subdivide this. All I want to be able to do is to sell it. It has been filled in and our explosives have been stored there for a long time.

COUNCILMAN RAMSEY: No buildings other than the sheds?

MR. DINTRUFF: Right. The County would like us to get out because of the explosives and they did not object to this, and they said this was a local matter.

COUNCILMAN CRIDDLE: What portion of that is in the flood plain?

MR. DINTRUFF: That is questionable. I can get a map. Most of this is above that critical 525 elevation. There is some we are still filling. I still don't understand as it is on the deed and maps that I already have an easement. I called Dan Miller the day after I got the denial letter from the Planning Board, and he told me to get an easement, out to Ballantyne Road. I already have that.

MR. KELLY: There is a substandard size lot?

MR. DINTRUFF: There is nothing I can do about it.

MR. KELLY: You can get a variance from the Zoning Board for that undersized lot.

MR. DINTRUFF: They said Boliva, the owner, would have to get that, themselves.

MR. NOWICKI: I see nothing wrong with the statement here that an easement would be needed through the Zoning Board, but I would also like the Town to be protected with subdivision approval, whether it be singular from each individual, or together as one application.

MR. KELLY: They won't accept the filing of a subdivision map unless they are all filed.

COUNCILMAN CRIDDLE: How long has Boliva owned that property?

MR. DINTRUFF: Since the 16th of January, but he has been there for quite a few years.

COUNCILMAN CRIDDLE: It was leased, but one tax account?

MR. DINTRUFF: Right

MR. KELLY: They have clearly outlined it in the town's letter.

COUNCILMAN CRIDDLE: That explains the definition of an illegal subdivision.

COUNCILMAN NOWICKI: That letter of May 14, 1980, spells out what has to be done.

COUNCILMAN CRIDDLE: You are making subdivision application after the fact.

COUNCILMAN NOWICKI: YOU HAVE TO MAKE THIS SUBDIVISION approved.

COUNCILMAN CRIDDLE: If necessary, the three owners can come in and jointly file for subdivision, even though they don't have any interest in this, it seems.

COUNCILMAN NOWICKI requested a copy of the county review dated July 8, 1980.

MR. KELLY: We probably will have to reserve decision on this until we find out just what will be done.

MR. DINTRUFF: Will this Board decide on this and review it?

COUNCILMAN CRIDDLE: We have to. We just may not make a decision tonight.

MR. KELLY: Who suggested that you appeal to the Town Board?

COUNCILMAN NOWICKI: He was denied with the Planning Board, and wants to go through the appeal procedure.

The Hearing was closed at 8:55 P.M.

*Carol A. O'Connor*  
Town Clerk, Carol A. O'Connor

dai

## P U B L I C   H E A R I N G

September 17, 1980

A Public Hearing was held by the Town Board, Town of Chili, on Local Law P-6, re: Meadowbrook Traffic Control, in the Chili Administration Offices, 3235 Chili Ave., Rochester, New York, 14624, at 9:00 P.M. on September 17, 1980. The Hearing was called to order by Deputy Town Supervisor Claire Montgomery.

ROLL CALL: Same as previously recorded.

Mr. Kelly: There were applicants here at the last public hearing. The attorney indicated to me he would be unable to be here at the 9 P.M. time. He asked me to reiterate to the Board what he discussed at that time. Following that hearing, we received a communication from Farrish Construction, the owner of section one, and they, also, joined in the application. We recompiled the law to include the entire three sections, which is all of Meadowbrook Farms. It is intended basically to designate our Superintendent of Highways to discuss and layout the necessary no parking areas and post the signs. Both applicants will initially defer the cost of whatever installations will be necessary.

COUNCILMAN NOWICKI: Under section 2, 3, and 4, I see a speed limit of 15 miles per hour, and we post no parking signs. The initial cost will be funded by them, and I am not sure it states that in here.

MR. KELLY: That is not required by law, and I am not sure it is in there.

COUNCILMAN NOWICKI: Number 3 provides for another cost that could be incurred by the town.

MR. KELLY: Normally that is charged against the owners of the vehicle, when they go out to regain the car. If we are involved, we absorb that expense, but normally, the manager of the facility will call the sheriff's office and make arrangements for the towing of the vehicle.

COUNCILMAN NOWICKI: It provides for removal of vehicles and could be rather expensive, especially during a snow storm.

MR. KELLY: I think the Town and manager of the facility will work that out. The town will not function on this matter unless there is some indication.

COUNCILMAN NOWICKI: It doesn't say so in here.

MR. KELLY: There are none that have attempted to separate that question out that I have reviewed.

COUNCILMAN PIKUET: You indicated they will be willing to assist in deferring the payment of the signs?

MR. KELLY: That was indicated with the attorney and also it is stated in a letter written to Farrish and it does appear as though they are willing to assist in absorbing all the costs.

COUNCILMAN PIKUET: Any and all costs?

MR. KELLY: I am sure all. That will be worked out with Mr. Chudyk, and them. If they need new signs and they have to be posted, it will be up to the developer to do that initially.

COUNCILMAN NOWICKI: Mr. Chudyk, how many signs would it take to post that area, and what would be the expense to replace any signs destroyed in the area?

MR. CHUDYK: Vandalism is something I can't answer.

MR. KELLY: What should be emphasized is that you are trying to provide reasonable regulations relative to a group of citizens in the town. On your public hearing, you provide for all the posting. It probably is not unrealistic to provide for regulations for these people in the project, especially when the developer has indicated he will pay for it, initially. I would think it is not an unjust question in view of the fact that they are taxpayers in there, too. This will be our first approach in that section. We do have some attempt to regulate the various shopping centers in the Town. We have made some efforts on this. We probably should make an approach to all of the shopping centers to do this.

MR. CHUDYK: We will not be pulling autos. We will call the sheriff or they will call the sheriff.

COUNCILMAN CRIDDLE: If they are going to foot the initial expense, then we know we will start out with signs. From that point on, it could be an expense.

COUNCILMAN RAMSEY: What is the approximate cost of replacement signs in the whole town of Chili, on an annual basis?

MR. CHUDYK: The County gives us a lot of signs at no direct cost. I would say \$ 1,000. This year, the County provided us with all the signs.

MR. KELLY: Are they intending to continue that?

MR. CHUDYK: I believe so.

COUNCILMAN PIKUET: Who set the speed limit at 15 MPH?

MR. KELLY: That seems to be the standard.

COUNCILMAN PIKUET: Can they get signs saying 15 mph? Are they available?

MR. CHUDYK: Yes. We will get them from the County. They will make them for us I am sure.

COUNCILMAN CRIDDLE: How about stop signs?

MR. CHUDYK: Anything under traffic control.

COUNCILMAN CRIDDLE: Maybe we are getting uptight about a matter that is not that significant. There will be a fair number of signs, but it may not be as much as we think. Are traffic signs subject to a lot of vandalism?

MR. CHUDYK: Yes. We lose poles and all.

COUNCILMAN NOWICKI: Will this initial cost include the poles and concrete with the owners?

MR. KELLY: Yes. They have already made a private effort to do something.

COUNCILMAN CRIDDLE: I would hate to see this board turn down this request because we are afraid to lose these signs. There are so many people in there.

MR. KELLY: This has been in the mill for some period of time, and they appear to be willing to front the initial impact of this. They feel they want that protection.

COUNCILMAN NOWICKI: If we pass this, they do not have to do a darn thing.

MR. KELLY: No they do not. I have to advise you, but they have said they will. I don't think you can put that in there.

COUNCILMAN PIKUET: In the future, if this Board considers replacement of signs an expensive item, could we establish a separate fund?

MR. KELLY: You can establish a reserve account, but traffic control is a general town charge. I don't believe you can establish a separate district. This is a state law, and they are attempting to do something about it.

COUNCILMAN NOWICKI: What is your total budget for replacing signs in the Town?

MR. CHUDYK: \$ 15,000.

COUNCILMAN NOWICKI: Would you say we would double that with all the apartments and parking lots in Chili?

MR. CHUDYK: No, I would say \$20,000 to \$25,000. I don't see too much of an expense after the initial cost.

MR. KELLY: Mr. Chudyk has asked on several occasions for adoption of a no parking ordinance. In order to accommodate that, a number of signs will be required. We still have that question.

COUNCILMAN CRIDDLE: Would it be possible to have Steve take a drive through there by the next meeting and give us a ball park figure on what it would cost so we will have a rough idea?

MR. CHUDYK: I can give you my opinion.

MRS. O'CONNOR: If this is private, why do they need town approval at all?

Mr. Kelly: So the town can go in there and enforce it. There is no enforcement otherwise.

COUNCILMAN NOWICKI: I would like to see something in writing saying they will pay for the whole initial cost.

MR. CHUDYK: I will get back to the board on a cost.

The hearing was closed at 9:35 P.M.

*Carol O'Connor*  
Carol O'Connor, Town Clerk

dai

## T O W N   B O A R D

September 26, 1980

A meeting of the Town Board, Town of Chili, was held on September 26, 1980, at 7:00 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The meeting was called to order by Supervisor Powers.

The invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Pikuett, Councilman Nowicki, Councilman Criddle, Supervisor Powers.

ALSO PRESENT: Mrs. O'Connor, Town Clerk; Mr. Kelly, Town Atty.

The Town Board was adjourned to Public hearing on the Chili Drainage No. 1, at 7:00 P.M. The Town Board reconvened at 7:01 P.M. Roll Call -- same as previously recorded.

# 283    RESOLUTION OFFERED BY COUNCILMAN PIKUETT

RESOLVED that the 1981 budget for the Chili Drainage No. 1, in the amount of \$11,943.60, be approved. Seconded by Councilman Ramsey. Carried Unanimously.

The Town Board adjourned to Public Hearing on Morgan Road Water District at 7:02 P.M. and reconvened at 7:03 P.M. Roll Call -- same as previously recorded.

#284    RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the 1981 budget for the Morgan Road Water District for \$ 4,000.00. be approved. Seconded by Councilman Nowicki. Carried Unanimously.

The Town Board adjourned to Public Hearing on Riverdale Water District at 7:04 P.M. and reconvened at 7:05 P.M. Roll--same as previously recorded.

#285    RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the 1981 budget for the Riverdale Water District, in the amount of \$10,400.02, be approved. Seconded by Councilman Pikuett. Carried Unanimously.

The Town Board adjourned-to Public Hearing on Chili Water District at 7:06 P.M. and reconvened at 7:07 P.M. Roll Call--same as previously recorded

#286    RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the 1981 budget for Chili Water District in the amount of \$165,981.89 be approved. Seconded by Councilman Nowicki. Carried Unanimously.

The Town Board adjourned bo Public Hearing on Clifton Lighting District at 7:08 P.M. and reconvened at 7:09 P.M. Roll Call--same as previously recorded.

#287    RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the 1981 budget for the Clifton Lighting District be approved in the amount of \$913.05. Seconded by Councilman Nowicki. Carried Unanimously.

The Town Board adjourned to Public Hearing on Chili Industrial Park Lighting District at 7:10 P.M. and reconvened at 7:11 P.M. Roll Call--same as previously recorded.

## #288 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the 1981 budget for the Chili Industrial Park Lighting District in the amount of \$1,318.14 be approved. Seconded by Councilman Ramsey. Carried Unanimously.

The Town Board adjourned to Public Hearing on the Ambulance Contract at 7:12 P.M. and reconvened at 7:30 P.M. Roll Call--same as previously recorded.

## #289 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Ambulance contract for 1981 in the amount of \$40,801.97 be approved. Seconded by Councilman Ramsey. Carried Unanimously.

The Town Board was adjourned to Public Hearing on the Chili Fire Dept. contract at 7:30 P.M. and reconvened at 7:50 P.M. Roll Call--same as previously recorded.

## #290 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED the Chili Fire Dept. contract for 1981 in the amount of \$252,048.07, be accepted. Seconded by Councilman Ramsey. Carried Unanimously.

The Town Board adjourned to public hearing at 7:51 P.M. on the Clifton Fire Dept. contract and reconvened at 7:52 p.m. Roll Call--same as previously recorded.

## #291 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Clifton Fire Dept. contract for 1981 in the amount of \$16,889.63 be accepted. Seconded by Councilman Nowicki. Unanimously approved.

The Town Board adjourned at 7:53 P.M. to public hearing on the Scottsville Fire Contract and reconvened at 7:54 P.M. Roll Call--same as previously recorded.

## #292 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the Scottsville Fire Department contract for 1981 in the amount of \$1,000.00 be accepted. Seconded by Councilman Pikueta. Carried Unanimously.

The Town Board adjourned to Public hearing at 7:55 P.M. on the Federal Revenue Sharing Proposed use and reconvened at 8:30 P.M. Roll Call--same as previously recorded.

## #293 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the Federal Revenue Sharing Allocations for the 1981 Budget be amended to show \$20,000 for Recreation Budget and reduction of the Town Hall and Library Expansion to \$70,000. Defeated for lack of a second.

## #294 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the Federal Revenue Sharing Allocations for the 1981 Budget be amended to show \$10,000 for Recreation Budget and reduction of the Town Hall Library Expansion to \$80,000. Defeated for lack of a second.

## 295 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that a public hearing be held on the 1981 Federal Revenue Sharing Budget on November 5, 1980, at 8:30 P.M. Seconded by Councilman Criddle. Carried by the following vote: Supervisor Powers, aye; Councilman Ramsey, no; Councilman Pikueta, aye; Councilman Nowicki aye; Councilman Criddle, aye.

## #296 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the 1981 budget for individual drainage districts be accepted as outlined on attached list. Seconded by Councilman Nowicki. Carried unanimously.

## #297 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that effective January 1, 1981, the Town of Chili will change their Unemployment Insurance Program from the contribution to the reimbursement basis, AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to so notify the State Department of Labor. Seconded by Councilman Criddle. Carried Unanimously.

## 298 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the following abstracts, as prepared by the Town Clerk, be approved, and bills ordered paid as rendered:  
General Fund Co. Nos. 1049 to 1147 \$3,281.00  
Seconded by Supervisor Powers. Carried Unanimously.

MEETING ADJOURNED AT 8:45 P.M.

*Carol O'Connor*  
Town Clerk, Carol O'Connor

dai

PUBLIC HEARING  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980, at 7:00 P.M. on Chili Drainage No. 1, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624. The Hearing was called to order by Supervisor Powers and duly advertised in the Gates-Chili News.

ROLL CALL -- same as previously recorded.

As there were no questions, the hearing was closed at 7:01 P.M.

Town Clerk, Carol O'Connor

PUBLIC HEARING  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980, at 7:02 P.M. on Morgan Road Water District, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Hearing was called to order by Supervisor Powers and duly advertised in the Gates-Chili News.

ROLL CALL-- same as previously recorded.

As there were no questions, the hearing was closed at 7:03 P.M.

Town Clerk, Carol O'Connor

PUBLIC HEARING  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980, at 7:04 P.M. on the Riverdale Water District., in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The hearing was called to order by Supervisor Powers and duly advertised in the Gates-Chili News.

ROLL CALL -- same as previously recorded.

As there were no questions, the hearing was closed at 7:05 P.M.

Town Clerk, Carol A. O'Connor

PUBLIC HEARING  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980, at 7:06 P.M. on the Chili Water District 1981 budget, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The hearing was called to order by Supervisor Powers and duly advertised in the Gates-Chili News.

ROLL CALL -- same as previously recorded.

As there were no questions, the hearing was closed at 7:07 P.M.

Town Clerk, Carol A. O'Connor

PUBLIC HEARING  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980, at 7:08 P.M. on the Clifton Lighting District 1981 budget, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The hearing was called to order by Supervisor Powers and duly advertised in the Gates-Chili News.

ROLL CALL -- same as previously recorded.

As there were no questions, the hearing was closed at 7:09 P.M.

Town Clerk, Carol A. O'Connor

P U B L I C H E A R I N G  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980, at 7:10 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624, on the 1981 budget for the Chili Industrial Park Lighting District. The hearing was called to order by Supervisor Powers, and duly advertised in the Gates-Chili News.

ROLL CALL -- same as previously recorded.

As there were no questions, the hearing was closed at 7:11 P.M.

Town Clerk, Carol A. O'Connor

P U B L I C H E A R I N G  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980, at 7:12 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624, on the Ambulance contract for 1981. The hearing was called to order by Supervisor Powers and duly advertised in the Gates-Chili News.

ROLL CALL -- same as previously recorded.

SUPERVISOR POWERS: They are requesting \$21,000.

COUNCILMAN RAMSEY: How does that compare to last year?

SUPERVISOR POWERS: Plus 13 percent, almost 14 percent. Is it possible in the future to list in the right hand column what you are budgeting, as you do in your financial report?

COUNCILMAN RAMSEY: What are the two or three biggest increases?

MR. HERB PETRI: Account 725, equipment budget. They are requesting two new, ten channel radios, as well as a ten port-a-power sets, air packs, etc. The radios are the biggest item. These replace older, 4 channel radios presently in the ambulances. They will be needing a minimum of 6 channels within a few years for regular dispatch. The radios in the ambulances are hooked right into the hospitals.

COUNCILMAN RAMSEY: What was the figure for this year?

MR. PETRI: \$ 3,500.

SUPERVISOR POWERS: When did we sell the other two ambulances?

MR. PETRI: One in March, and one just three or four weeks ago.

COUNCILMAN NOWICKI: Does that money go back into the new equipment fund?

MR. PETRI: Into the new vehicle fund.

SUPERVISOR POWERS: Who purchased those vehicles?

MR. PETRI: An ambulance company in New York City and the other by a town resident.

SUPERVISOR POWERS: What did you get for them?

MR. PETRI: The town resident paid \$100. They were advertised in the state newspapers for fire equipment and ambulances. The first ambulance was \$3,000, I believe.

COUNCILMAN RAMSEY: What is your long range plan in the vehicle fund?

MR. PETRI: When we purchase these new ambulances, we were short on funds. In the past the Fire Department went to a bank and borrowed the money. In this case, the Fire Department had some funds, which they loaned to the ambulance fund. It is expected that within the next four years, we will have those paid for.

COUNCILMAN NOWICKI: What is item 729?

MR. PETRI: We have also provided for donations and memorials. Now that the funds are getting substantial in that account, it was decided to set this up into a special equipment fund used to purchase large, one time items that would go on the ambulances.

COUNCILMAN NOWICKI: There are other new ones, subscriptions for \$600.

MR. PETRI: They are for the technical publications that come out. In the Fire Department publication it outlines problems in fire service, new ideas and new techniques. The magazines go to the people on the ambulances and there are 45 to 50 of them.

The hearing was closed at 7:30 P.M.

Town Clerk, Carol A. O'Connor

PUBLIC HEARING  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980, at 7:30 P.M. on the Chili Fire Department contract, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The hearing was called to order by Supervisor Powers, and duly advertised in the Gates-Chili News.

ROLL CALL -- same as previously recorded.

COUNCILMAN RAMSEY requested a brief outline of the budget.

MR. HERB PETRI: Data processing is an additional \$5,000 and one of the largest in the budget in anticipation of an in-house data processing system. We have contacted ten vendors and have received 8 proposals back. Our time table allows for a computer to be installed in the third quarter of 1981. We are expecting the machine to do the general ledgering, accounts payable, record keeping. In the long range, we want to have a computer dispatch system. That is probably two years down the road. That is basically for general and administrative accounting. Some of the others are utilities, insurance, maintenance, new equipment and I believe you have a detail of the new equipment we are requesting, the vehicle fund. Training is up 25 percent. Maintenance of buildings is up 14.5 percent. The mortgage and interest is down 5 percent. Taxes are up 13 percent. Improvements are up. Our fund drive is up 3 percent. We feel \$30,000 is a realistic figure for our fund drive.

SUPERVISOR POWERS: You said you borrowed from the equipment fund for the ambulances?

MR. PETRI: Right.

COUNCILMAN PIKUET: What do you plan on doing in Company 2?

MR. PETRI: The blacktopping of the south side of the building.

COUNCILMAN PIKUET: How much did the fund drive bring in last year?

MR. PETRI: \$22,020.

COUNCILMAN CRIDDLE: What do you plan on in improvements for company 3?

MR. PETRI: Installing a smoke alarm system with some improvements to the floors in the basement and kitchen and new sinks and about \$900 of insulation in the old portion of the building.

COUNCILMAN NOWICKI: Do you have any major plans for building expansion?

MR. PETRI: Company one addition for storage, rec room and storage room. We have the project on hold due to high interest rates.

The hearing was closed at 7:50 P.M.

Town Clerk, Carol A. O'Connor

P U B L I C H E A R I N G  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980 in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624 on the Clifton Fire Department contract. The hearing was called to order at 7:51 P.M. by Supervisor Powers and duly advertised in the Gates-Chili News.

ROLL CALL: Same as previously recorded.

As there were no questions, the hearing was closed at 7:52 P.M.

Town Clerk, Carol A. O'Connor

P U B L I C H E A R I N G  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980, at 7:53 P.M. on the Scottsville Fire Dept. contract for 1981, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The hearing was called to order by Supervisor Powers and duly advertised in the Democrat & Chronicle.

ROLL CALL -- same as previously recorded.

As there were no questions, the hearing was closed at 7:54 P.M.

Town Clerk, Carol A. O'Connor

P U B L I C H E A R I N G  
SEPTEMBER 26, 1980

A Public Hearing was held by the Town Board, Town of Chili, on September 26, 1980, at 7:55 P.M. on the Federal Revenue Sharing Proposed Use, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The hearing was called to order by Supervisor Powers and duly advertised in the Gates-Chili News.

ROLL CALL -- same as previously recorded.

COUNCILMAN RAMSEY: (suggested allocation \$20,000 for the Davis Park program and reducing the Town Hall expansion. I just wanted to propose this.

COUNCILMAN NOWICKI: I would like to keep the Board aware of the Capital Advisory Committee work that will be on for the next six months for the Town Hall Expansion and library and I feel these are long overdue

COUNCILMAN CRIDDLE: I feel revenue sharing funds have been given to the recreation program and I feel we have other areas that have been sorely neglected. Any extra money we have should be put toward things we have been neglecting, specifically the Town Hall.

COUNCILMAN PIKUET: I agree with you, Councilman Criddle. Recreation has had quite a large share of the federal revenue sharing budget and I agree that it is time to limit that.

SUPERVISOR POWERS: Do you have any idea of what is in the Parks & Recreation Fund?

KATHY POWERS (BUDGET OFFICER): There is more than \$30,000. (She checked and advised the board. It is \$5,000 in Parks and Recreation reserve fund.

JEROME BRIXNER, CHAIRMAN, RECREATION & YOUTH COMMISSION: I would like to request on behalf of the Recreation Commission, \$20,000. If we can return 35,000 and apply it that will give us a substantial start on park improvements. I would like to support Councilman Ramsey's position. We can finish this project within a year and a half with this.

COUNCILMAN PIKUET: Could you tell me why you eliminated the Departmental Improvements?

SUPERVISOR POWERS: I talked to the Assessor's Office and Building Department and they would lose space in making their move. I would prefer to have Recreation next door rather than in North Chili.

COUNCILMAN RAMSEY: You added in a computer item for \$10,000. We would have to have \$20,000 to \$25,000 to get started on this, so this would be a two to three year funding set aside to accomplish this.

SUPERVISOR POWERS: I assume it will be two years. We can always transfer if we need to.

Hearing closed at 8:30 P.M.

Town Clerk, Carol A. O'Connor

dai

T O W N   B O A R D  
OCTOBER 1, 1980

A Meeting of the Town Board, Town of Chili, was held on October 1, 1980 at 8:00 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624. The meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk, and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsay, Councilman Pikuett, Councilman Nowicki, Councilman Criddle, Supervisor Powers.

ALSO PRESENT: Mrs. O'Connor, Town Clerk; Mr. Kelly, Town Atty.; Mr. Kiselycznyk, Town Engineer.; Mr. Vail, Sr., Ins. Counselor.

The Minutes of the Town Board Meeting held September 3, 1980, were amended and unanimously approved as amended.

The Town Clerk presented the preliminary budget for 1981.

WILLIAM WILCOX, STUART ROAD: I was here in May or the first of June inquiring about a sign on 33A, north of Black Creek, on the west side of 33A. Has the town done anything about it? SUPERVISOR POWERS: I will check it out.

Corres. #373 Letter dated September 25, 1980, to Chili Town Board from Deborah S. Voorheis, Zoning Enforcement Officer, re: pigeon problem in Meeting House Drive area.

Corres. #374 Petition containing 12 signatures from residents in support of adoption of a Local Law similar to the proposed Law in Gates to prohibit keeping of domestic and wild animals in a residential area.

Corres. #375 Letter from Rust Communications Group, Inc., requesting permission to have a "Skate Train" on October 9, 1980, which would begin in the 2001 parking lot, travel east on Paul Road to Archer, north on Archer to Chili Avenue and back to 2001.

#299 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Rust Communications Group, Inc. be authorized to have a "Skate Train" on October 9, 1980, which would begin in the 2001 parking lot, travel east on Paul Road to Archer, north on Archer to Chili Avenue, and back to 2001 dependent upon State Department of Transportation permission AND BE IT FURTHER RESOLVED that a hold harmless clause and certificate of Insurance be provided to the Town of Chili AND BE IT FURTHER RESOLVED that the Authorization above granted is dependent upon the Sheriff's Dept. notifying the Town that the parade will be properly escorted and supervised. Seconded by Councilman Nowicki. Carried Unanimously.

The Town Board adjourned to a Public Hearing for bids for the flat bed trailer at 8:30 P.M. and reconvened at 8:40 P.M. Roll Call --same as previously recorded.

Corres. #376 Copy of letter dated September 12, 1980, to William C. Kelly, Atty. from Daniel F. Fitzgerald, Jr., Atty., advising that he has destroyed his files on the Chili Water District, but original documents are all on file or recorded as necessary.

Corres. #377 Letter dated September 15, 1980, to Town of Chili, from Monroe County Water Authority, re: West Forest Estates, Sec. 1, advising that they are accepting the watermain and appurtenances as a part of their system.

Corres. #378 Letter dated September 25, 1980, to Town Board from Malcolm Perry, 1980 Homecoming Parade Chairman, Roberts Wesleyan College, re: annual parade to be held on October 11, 1980 on Berry Lane, Sunnyside, Westside Drive and Orchard Street.

## #300 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Roberts Wesleyan College be authorized to have the 1980 Homecoming Parade on October 11, 1980, on Berry Lane, Sunnyside, Westside Drive and Orchard Street provided all law enforcement agencies be notified, State Department of Transportation permission is obtained AND BE IT FURTHER RESOLVED that a Hold Harmless Clause and Certificate of Insurance be provided to the Town. Seconded by Councilman Nowicki. Carried unanimously.

- Corres. # 379 Letter dated September 26, 1980, to Chili Town Board from Michael J. LaBue, Atty., enclosing letters from Farash Construction Corp. and W.D. Hassett, Inc., owners of Meadowbrook Farms Apartments indicating that they agree to bear the cost of the initial installation of traffic signs required by adoption of Local Law P-4-80.
- Corres. #380 Letter dated September 29, 1980, to Supervisor Powers from General Code Publishers Corp., submitting 12 copies of the proposed Zoning legislation.
- Corres. #381 Chili Public Library Director's Report submitted for August, 1980.
- Corres. #382 Report on Annual Magistrates Convention held September 14-17, 1980, submitted by Town Justices Pelkey and Borzilleri.
- Corres. #383 Report on N.Y.S. Building Officials Conference held September 17-19, 1980, submitted by Robert E. Connolly, Bldg. Inspector.
- Corres. #384 Memo dated September 24, 1980, to Chili Town Board, from Jerome F. Brixner, Chairman, Chili Recreation & Youth Commission, re: request for Town Board's approval of next phase of work to be done in Davis Park.
- Corres. #385 Copy of letter dated September 26, 1980, to Jerry Brixner, Chairman, Chili Recreation Commission, from Donald J. Bergmann, Town Eng., re: Davis Park, Future Priority Improvements.
- Corres. #386 Letter dated September 25, 1980, to Chili Town Board from Janice M. Chapman, Chairwoman, Zoning Board of Appeals, re: change of dates for November and December meetings.

## #301 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the regular meeting of the Zoning Board of Appeals for November be held on November 19, 1980, AND BE IT FURTHER RESOLVED that the regular meeting for December be held on December 16, 1980. Seconded by Councilman Criddle. Carried Unanimously.

- Corres. #387 Letter dated September 25, 1980, to Town Board, Town of Chili, from Justices Pelkey and Borzilleri, re: merit increase for the Court Clerk.
- Corres. #388 Letter dated September 30, 1980, to Town Board from Stephen A. Chudyk, Supt. of Highways, re: resolution adopted on September 17, 1980, authorizing Revenue Sharing monies to be used for installation of water line, and in as much as such funds are not available, requesting that other monies be used for this project.

## #302 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Resolution number 277 of September 17, 1980, be rescinded and revoked. Seconded by Councilman Ramsey. Carried Unanimously.

## #303 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Stephen A. Chudyk, Supt. of Highways, is authorized to purchase a 1½ inch water line for the new Highway Garage addition at a cost not to exceed \$1,500. AND BE IT FURTHER RESOLVED that funds for this water line be taken from General Contingent Fund. Seconded by Councilman Ramsey. Carried Unanimously.

- Corres. #389 Letter dated September 30, 1980, to Town Board from Stephen A. Chudyk, Supt. of Highways, re: transfer of funds.

## #304 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that upon the recommendation of Stephen A. Chudyk, Supt. of hws., that \$2,644.00 be transferred from Item 4 Brush & Weeds Contractual DS5140.4 to Item 1 Contractual DR5110.4. Seconded by Councilman Nowicki. Carried Unanimously.

## #305 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that \$500.00 be transferred from Justices Personal Services A110.1 to Justices Contractual A110.4. Seconded by Councilman Nowicki. Carried Unanimously.

## #306 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED THAT \$105.04 be transferred from Town Clerk Equipment A1410.2 to Town Clerk Contractual A1410.4. Seconded by Councilman Pikueta. Carried Unanimously.

Corres. #390 Letter from Erdman, Anthony, Assoc., re: recommending release for Springbrook Sub., Sec. D.

## #307 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED THAT the final release for Springbrook Sub., Sec. D. be authorized per the recommendation of the Town Engineer. Seconded by Supervisor Powers. Carried Unanimously.

## #308 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol A. O'Connor, be approved and bills ordered paid as rendered:

|                                 |             |
|---------------------------------|-------------|
| General Fund Vo. Nos. 1148-1187 | \$ 7,868.08 |
| Highway Fund Vo. Nos. 594-613   | 14,764.60   |
| Revenue Sharing Vo. Nos. 6 & 7  | 3,973.19    |

Seconded by Councilman Pikueta. Carried Unanimously.

COUNCILMAN RAMSEY mentioned rental of the DeMeco House now goes through the Town Clerk and requested rental go directly through the Recreation Commission. Could this be a more efficient way to operate this? SUPERVISOR POWERS said there have been many problems of late regarding what that house should be used for. COUNCILMAN RAMSEY said the commission will review this again and come up with some guidelines for use.

COUNCILMAN RAMSEY said the vacant lot on Chili Avenue next to Desiato's is overgrown and deteriorated. He suggested a letter from Bob Connolly go to the owner suggesting it be cleaned up. SUPERVISOR POWERS said we can send a letter requesting that.

COUNCILMAN PIKUET requested Mr. Connolly be asked to check into the oil business at the end of Daunton Drive that is supposedly being operated out of the home. SUPERVISOR POWERS said we are already aware of that and are taking care of it.

COUNCILMAN NOWICKI asked if anything was back on the local laws? MRS. O'CONNOR said confirmation on the last three is back.

## #309 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that a Public Hearing be held on October 15, 1980, at 8:30 P.M. on Local Law P-7-80 regarding parking on streets at night. Seconded by COUNCILMAN CRIDDLE. Carried Unanimously.

COUNCILMAN NOWICKI: Mentioned the roller skating on the tennis courts. SUPERVISOR POWERS requested the Town Clerk write a letter that no new programs be initiated by the Recreation Department before coming to the Town Board for review to protect the town from any liability that may arise out of these programs.

COUNCILMAN NOWICKI: Had two concerns, the liability and the surface of the courts could be damaged and scratched from the skates.

COUNCILMAN CRIDDLE: a periodic letter from the Recreation Commission to the Town Board would be a good idea.

#310 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Robert W. Erwin, 32 Names Road, Rochester, New York, be appointed to the Zoning Board to replace Leo Bean, for a term of office to expire 10-14-85. Seconded by Councilman Ramsey. Carried Unanimously.

MR. KELLY presented an affidavit on Dusman's property that he received. Also, on the Fire Arms Ordinance, the state says we cannot take any action as it is under state law, but, we can ask the state representatives to add our name to the State Statuete allowing towns to establish more stringent requirements, if they wish. The town can take further action.

JEROME BRIXNER, CHAIRMAN, RECREATION COMMISSION: Has had no word from Mr. Chudyk on the entrance way to Ranchmar Park. Please check into that as there is dust flying around. He would be happy to work with the Town Clerk and Supervisor to solve the DeMeco House situation.

MR. ALEX ELY, County Legislature said an informational hearing has been set on the Airport Expansion at the high school. Other than that, there have been no new developments.

Meeting adjourned at 10:05 P.M.

*Carol A. O'Connor*  
Town Clerk, Carol A. O'Connor

dai

P U B L I C   H E A R I N G  
O C T O B E R 1, 1980

A Public Hearing was held by the Town Board, Town of Chili, on October 1, 1980, at 8:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York. The hearing was called to order at 8:30 P.M. by Supervisor Powers.

ROLL CALL: Same as previously recorded

The hearing was duly advertised in the Democrat & Chronicle, to open bids for the Flat Bed trailer for the Highway Department.

|   |   |
|---|---|
| <p>BID NUMBER 1 - Ridings Equipment Corp.<br/>60 Paul Road, Rochester, New York 14624</p>                                 | <p>\$ 8,277.00</p>  |
| <p>BID NUMBER 2 - Monroe Tractor<br/>Henrietta, New York</p>  | <p>\$ 7,675.00 "Eager Beaver-<br/>12 ton"<br/>9,784 on a "Eager Beaver-<br/>15 ton"</p> |
| <p>BID NUMBER 3 - Walter M. Roberts Enterprises, Inc.<br/>7642 Main St. Fishers<br/>P.O. Box G<br/>Victor, N.Y. 14564</p> | <p>\$ 7,272 - "Wisconsin"</p>   |
| <p>BID NUMBER 4 - Mike &amp; Joe Equipment Co., Inc.<br/>737 Atlantic Avenue<br/>Rochester, New York 14609</p>            | <p>\$ 8,180 - "Miller"</p>  |
| <p>BID NUMBER 5 - Dow &amp; Co., Inc.<br/>3240 Monroe Avenue<br/>Rochester, N.Y. 14618</p>                                | <p>\$ 8,898</p>   |

CONCILMAN NOWICKI: Are all the bid documents in order?

MRS. O'CONNOR: Yes

The Hearing was closed at 8:40 P.M.

Town Clerk, Carol A. O'Connor

dai

T O W N B O A R D  
OCTOBER 15, 1980

A Meeting of the Town Board, Town of Chili, was held on October 15, 1980, at 8:00 p.m. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The Meeting was called to order by Supervisor Powers.

The Invocation was read by the Town Clerk and followed by the Pledge of Allegiance.

ROLL CALL: Councilman Ramsey, Councilman Nowicki, Councilman Criddle, Supervisor Powers

ALSO PRESENT: Mr. Kelly, Town Atty.; Mrs. O'Connor, Town Clerk; Mr. Chudyk, Supt. of Hwys.; Mr. Vail, Sr., Ins. Counselor; Mr. Kiselycznyk, Town Engr.

EARL IPSORO - from RIT was present working on a school paper.

MARK CONSTANZA, PETER CAREY, DAN NICHOLS, were all present from Boy Scout Troop No. 90, working on a Merit Badge.

Corres. #391 Letter dated October 3, 1980, to Town of Chili, from James E. Kokot, Engineering Manager, Monroe Co. Water Authority, advising that they are accepting the watermain and appurtenances in Spring Valley Sub., Sec. 5.

Corres. #392 Letter dated October 3, 1980, to Supervisor James J. Powers, from Marie R. Rodriguez, Systems Manager, People's Cable, advising as to what steps they have taken to upgrade their telephone system to facilitate handling of customer calls.

Corres. #393 Letter dated October 8, 1980, to Supervisor Powers and Councilmen from N. Norman Vail, Insurance Counselor, recommending that 1) copy of any contract entered into by the Town of Chili be given to the Insurance Counselor for review and, 2) copies of all appointments made by the Town of Chili be given to the Insurance Counselor.

Corres. #394 Letter dated October 8, 1980, to Town Board from Jay N. Conley, 181 Morgan Road, Scottsville, N.Y., 14546, indicating his interest in being appointed to the Chili Conservation Board and submitting his qualifications.

#311 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Jay N. Conley, 181 Morgan Road, Scottsville, N.Y. 14546, be appointed to the Chili Conservation Board for a two year term to expire October, 1982, AND BE IT FURTHER RESOLVED that Melody Landberg and Richard Schickler be reappointed for two year terms to expire in October 1982. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #395 Letter dated October 8, 1980, to Supervisor James J. Powers, from Glenn R. Cooke, Exec. Director, Genesee/Finger Lakes Regional Planning Council, re: status of Genesee/Finger Lakes Areawide Housing Opportunity Plan, advising that a sufficient number of municipalities have endorsed the plan to enable them to submit same to HUD, which is presently reviewing it.

Corres. #396 Letter dated October 9, 1980, to Chili Town Board from Robert E. West, Administrative Asst., Student Financial Aid, Roberts Wesleyan College, requesting that permit fee be waived for a bonfire on October 24, 1980.

#312 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the fee be waived for a burning permit applied for by Roberts Wesleyan College for a bonfire to be held at the College on October 24, 1980. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #397 Letter dated October 14, 1980, to Town Board from Vinwood Estates Association requesting that the Town reconsider the hiring of a consultant regarding the airport expansion.

Corres. #398 Minutes of regular meeting of the Library Board of Trustees held on September 24, 1980, submitted.

Corres. #401 Report submitted by Chili Dog Control Officer for month of September, 1980.

Corres #402 Memo dated October 2, 1980, to Town Board from Robert E. Connolly, Building Inspector, re: Wood Foundations and Passive Solar Homes, indicating that he is opposed to allowing wood foundations in the Town of Chili, although the State Building Code may soon be amended to allow them, and problems that may arise in the future with the increasing popularity of passive solar homes.

Corres. #403 Memo dated October 3, 1980, to Town Board from Jean M. Phillips, Receiver of Taxes, re: purchase of a Rapidprint Paid-stamp machine at a cost of \$268.00.

#313 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Jean M. Phillips, Receiver of Taxes be authorized to purchase a Rapidprint Paid-stamp machine at a cost of \$268.00, AND BE IT FURTHER RESOLVED that \$68.00 be transferred from Tax Collection Contractual A1330.4 to Tax Collection Equipment A1330.2. Seconded by Supervisor Powers. Carried Unanimously.

Corres. #404 Request for Funds submitted by Stephen A. Chudyk, Supt. of Highways, re: replacement of present steam cleaner, which is beyond economical repair at an estimated cost of \$2,000.00.

#314 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the Superintendent of Highways, Stephen A. Chudyk, be authorized to obtain three prices, not to exceed \$2,000.00, for replacement of the steam cleaner for the Highway Department AND BE IT FURTHER RESOLVED that the funds for said steam cleaner be taken from the Highway Dept. budget, and not from Contingent. Seconded by Councilman Ramsey. Carried Unanimously.

The Town Board adjourned to The Public Hearing on Local Law P-7-80 at 8:30 P.M. and reconvened at 8:52 P.M. Roll Call - Same as previously recorded.

Corres. #405 Letter dated October 14, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: letter dated October 29, 1980, requesting adoption of a policy for the Town regarding double road cuts for a normal size residential lot.

#315 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the number of curb cuts on any parcel of land is limited to one AND BE IT FURTHER RESOLVED that a letter be sent to the Planning Board of the Town of Chili, and to the Zoning Board of Appeals of the Town of Chili notifying them of this change AND BE IT FURTHER RESOLVED that application be made to the Zoning Board of Appeals for deviations of this resolution. Seconded by Supervisor Powers. Carried Unanimously.

Corres. #406 Memo dated October 14, 1980, to Town Board from Supervisor Powers, re: appointment to drainage committee.

#316 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Jerome Brixner, 14 Hartom Road, be appointed to serve as a member of the Drainage Committee for the Town of Chili, to serve at the pleasure of the Town Board. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #407 Memo dated October 1, 1980, to Kathy Powers, Budget Officer, from Laurie Hausler, Highway Secretary, re: transfer of funds.

#317 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that \$24.00 be transferred from Recreation Contractual A7310.4 to Supt. of Highways Contractual A5010.4 to cover the cost of office materials which were transferred from the Highway Department to the Recreation Department. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #408 Letter to Carol O'Connor, from Chili Fire Dept., Inc., re: changes in active list.

#318 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Chili Fire Dept., Inc., the following names are added to the list of active volunteers:

Gerald J. Sauer, 3800 Chili Avenue, Rochester 14624  
 Samuel J. DeRosa, 52 Blue Spruce Drive, Rochester 14624  
 David Kasper, 8 Wills Road, Rochester, 14624

AND BE IT FURTHER RESOLVED that the Insurance Counselor, Mr. Vail, be so notified of these additions. Seconded by Councilman Criddle. Carried Unanimously.

Corres. #409 Letter dated October 7, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: awarding of bid for trailer.

#319 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of Stephen A. Chudyk, Supt. of Highways, that the bid be awarded to Walter M. Roberts Enterprises, Inc., 7642 Main Street, Box G, Victor, New York, 14564, for purchase of a low-bed, heavy duty trailer per specifications bid on October 1, 1980, for a total price of \$7,272.00. Seconded by Councilman Ramsey. Carried Unanimously.

Corres. #410 Letter dated October 9, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., requesting designation of snow routes by resolution, in the absence of a Town ordinance, so that roads may be expeditiously opened during the coming winter season.

Corres. #411. Letter dated October 10, 1980, to Town Board from Stephen A. Chudyk Supt. of Hwys, requesting that action be taken to correct deficiencies on Wadsworth Circle to enable crews to plow.

Corres. #412 Letter dated October 14, 1980, to Chili Town Board from Jerome F. Brixner, Chairman, Chili Recreation & Youth Commission, re: Davis Park renovation --1981 Program, outlining project and indication that funding would be provided from Parks & Recreation Reserve (\$30,000) and Heritage grant monies.

Corres. #413 Letter dated October 14, 1980, to Chili Town Board from Jerome F. Brixner, Chairman, Chili Recreation & Youth Commission, re: adding additional parking facilities for Little League baseball and Joe Klapp field at Memorial Park.

Corres. #414 Letter dated October 10, 1980, to Board from Stephen A. Chudyk, Supt. of Hwys., re: listing roads which were worked on by highway crews during summer of 1980.

Corres. #415 Letter dated October 15, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re: change of pay scales for certain highway employees working on CDA PROJECT.

Corres. #416 Inventory of Highway Machinery, Tools, & Equipment submitted by Stephen A. Chudyk, Supt. of Hwys, in accordance with Highway Law Section 142 (3).

Corres. #417 Letter dated October 14, 1980, to Town Board from Stephen A. Chudyk, Supt. of Hwys., re" need for paint spray booth to meet OSHA requirements, funding for which was not provided for in the 1981 budget estimates.

#320 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol A. O'Connor, be approved and bills ordered paid as rendered:

|                                   |             |
|-----------------------------------|-------------|
| General Fund Vo. No. 1188 to 1244 | \$25,974.52 |
| Highway Fund Vo. No. 614 to 635   | 6,341.62    |

Seconded by Councilman Criddle. Carried Unanimously.

#321 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that \$2,000.00 be transferred from Recreation Personal Service A7310.1 to Contractual A7310.4 AND BE IT FURTHER RESOLVED THAT \$3,000.00 be transferred from Contingent A1990.4 to Supt. of Highways Personal Services A5010.1 AND BE IT FURTHER RESOLVED that \$176.59 be transferred from Public Works Equipment A1490.2 to Supt. of Hwys Equipment A5010.2. Seconded by Councilman Ramsey. Carried Unanimously.

#322 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that a Public Hearing be held on November 19, 1980, at 8:30 p.m. for the purpose of considering the increase in income ceiling for eligibility for the N.Y.S. Elderley Exemption Program from \$8,000.00 to \$9,000.00 for applications received after January 1, 1981. Seconded by Councilman Nowicki. Carried Unanimously.

Corres. #418 Letter dated October 15, 1980, to Town Board from the Town Engineer, Erdman Anthy, Associates, re: recommendation of final payment of \$2,675.00 to Hillary Drainage Swail.

#323 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that per the recommendation of the Town Engineer, Erdman Anthony, Assoc., Inc. that final payment of \$2,675.00 be made for the Hillary Drainage Swail. Seconded by Councilman Ramsey. Carried Unanimously.

#324 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that before any parades, displays, block parties, or similar events be held that make use of Town, State, or County highways, that an application be filled out requesting same and upon fulfillment of the requirements a Town license will be issued by the Town Clerk, for the sum of \$5.00, AND BE IT FURTHER RESOLVED that attached to said application will be a proper insurance certificate including a Hold Harmless Clause to the Town of Chili, AND BE IT FURTHER RESOLVED that full and adequate assurances by the applicant that all of the State, County, and Local Law enforcement agencies as well as Fire and Emergency officials be adequately notified. Seconded by Councilman Nowicki. Carried Unanimously.

COUNCILMAN RAMSEY asked about the shrubs on Desiato's property? SUPERVISOR POWERS sent out a letter last week and I don't see that anything has happened.

COUNCILMAN NOWICKI understands that on 11/12/80 an authorization to advertise for bids on Paul Road will be voted on. If that is approved, it will reopen land options in the area.

#325 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Local Law P-6-80 be approved regarding traffic enforcement in Meadowbrook Farms. Seconded by Councilman Nowicki. Carried Unanimously.

COUNCILMAN CRIDDLE MENTIONED THE NOISE BEHIND Bent Oak from Dirt Bikes and asked if any complaints came in. SUPERVISOR POWERS said no, only complaints were received on the school property.

The meeting was adjourned to Monday, October 27, 1980 at 7:00 P.M.

TOWN CLERK, Carol O'Connor

dai

PUBLIC HEARING  
October 15, 1980

A Public Hearing was held by the Town Board, Town of Chili, on October 15, 1980 at 8:30 P.M. on Local Law P-7-80 regarding parking, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624.

ROLL CALL: Same as previously recorded.

PER THE TOWN CLERK, the hearing was duly advertised.

SUPERVISOR POWERS: In section 112-3 on the charges, I know some people whose charges far exceed that for towing services.

Mr. Kelly: I agree. It is more realistically \$50 to tow.

COUNCILMAN NOWICKI: What about \$50 and \$5 for storage?

Mr. Kelly: I think you would be more realistically in this day and age, to use that high. It seems the costs for that would be at least \$50 and a minimum of a day for storage.

SUPERVISOR POWERS: I know Councilman Criddle had some questions about the hours. I know every town is different. Some were from 10 P.M. to 2 a.m. on the starting times. Basically, they ran to 6 a.m. or 7 a.m. in the morning.

COUNCILMAN CRIDDLE: It might ease my objections if we made that starting time a little bit later.

MR. CHUDYK: You would have to have it all night because that is when we do most of our plowing. 11 p.m. to 7 a.m. is the biggest need. After 7 a.m., the roads are in good shape, anyway.

COUNCILMAN RAMSEY: This is for all town roads?

MR. KELLY: Right. On State highways, there is no parking allowed anyway. County roads he will have to check into.

MR. CHUDYK: I think that is right.

COUNCILMAN CRIDDLE: I think of some small suburban road where someone is having a party for the evening and they are there until 1 a.m. I would be terribly embarrassed if all of a sudden, tow trucks started coming down the street and all the guests cars were towed away. I thought if this were put off until 1 a.m. that it would be reasonable to allow cars to park. That might shorten your plowing time.

MR. CHUDYK: Anything would be a help.

COUNCILMAN RAMSEY: How do you propose to enforce this ordinance?

MR. CHUDYK: All we have to do is call the sheriff and they call a tow station.

MR. KELLY: Could you post the town sufficiently to accomplish this?

MR. CHUDYK: We will have to.

MR. KELLY: You can post the entry ways to the Town. We are not concerned about posting state roads.

COUNCILMAN CRIDDLE: You can do the entries to the subdivisions?

MR. KELLY: That is not required. The entrances to the Town are sufficient.

COUNCILMAN NOWICKI: On page 2, second line from the bottom, are we designing a ticket to be used?

MR. KELLY: Yes.

COUNCILMAN CRIDDLE: Are we to provide these to the sheriff's department?

MR. KELLY: The question is who is going to be authorized to issue them. I think we have indicated here police officials. We will have to meet with the Sheriff's Office and the Town judges to work out an appearance ticket that is

sufficient. These tickets will be issued out to the state police or sheriff, only. No one else. They enforce all violations.

COUNCILMAN NOWICKI: What is the time?

COUNCILMAN CRIDDLE: I would like to see 1 a.m. to 7 a.m.

SUPERVISOR POWERS: I am afraid of that 1 a.m. It takes at least 6 hours to make one complete run.

MR. CHUDYK: Not any more. We have split up the town into more routes. We have 12 routes now.

COUNCILMAN NOWICKI: How about 12 to 7 a.m.

COUNCILMAN CRIDDLE: Can we change that here?

MR. KELLY: You can change it, but you cannot vote on this tonight.

COUNCILMAN CRIDDLE: Do we have to have another public hearing?

MR. KELLY: No.. You cannot vote because it has to be in final form for 5 days before you vote on it. You had towing charge changes and the time change.

THE HEARING WAS CLOSED AT 8:52 P.M.

TOWN CLERK, Carol O'Connor

dai

## P U B L I C H E A R I N G

October 15, 1980

A public Hearing was held by the Town Board, Town of Chili, at 8:52 P.M. to open bids for the abrasive spreader for the Highway Dept., in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624. The hearing was called to order by Supervisor Powers.

The Hearing was duly advertised per the Town Clerk.

ROLL CLERK: same as previously recorded.

## Bid Number 1

Mike & Joe Equipment Co., 737 Atlantic Avenue, Rochester, N.Y. 14609

\$7,883.56 for stainle-s steel sander

## Bid Number 2

Cyncon Equipment, Inc., 6800 West Henrietta Road, W. Henrietta, NY 14586

\$7,190.00 for steel body

SUPERVISOR POWERS: Do you have your checks with those?

MRS. O'CONNOR: Yes

SUPERVISOR POWERS: What are these made of?

MR. CIUDYK: Metal or Fiberglass. Or steel, covered with a coating. These bids are both steel covered with a protective coating. These are not fiberglass.

SUPERVISOR POWERS: Give the bids to Steve to look over.

The Hearing was closed at 8:56 P.M.

Town Clerk, Carol O'Connor

dai

ADJOURNED TOWN BOARD MEETING  
October 27, 1980

An adjourned Meeting of the Town Board of the Town of Chili was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624 on October 27, 1980. The Adjourned Meeting was called to order by Supervisor Powers at 7:00 PM.

Roll Call: Supervisor Powers, Councilman Ramsey, Councilman Pikuet, Councilman Nowicki, Councilman Criddle

Also Present: Mrs. O'Connor, Mr. Kelly

The Town Board Members presented Preliminary Budget "B" for 1981.

#326 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the Public Hearing for the 1981 Preliminary Budget "B" be held on November 5, 1980 at 8:45 P.M. (Note: Long resolution will appear in minute book) Seconded by Councilman Criddle. Carried with the following vote: Councilman Ramsey aye; Councilman Pikuet aye; Councilman Criddle aye; Supervisor Powers aye; Councilman Nowicki, aye.

Corres. No. 419 Letter of resignation submitted by Deborah Imbro.

#327 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the resignation of Deborah Imbro as Stenographer PT be accepted effective November 1, 1980. Seconded by Councilman Pikuet. Carried with the following vote: Councilman Ramsey aye; Councilman Pikuet aye; Councilman Nowicki aye; Councilman Criddle aye; Supervisor Powers aye.

Corres. No. 420 Memo dated October 27, 1980 to Town Board from Supervisor Powers re: appointment of Stenographer PT.

#328 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Carmel Kubitz, 155 Powers Lane, Rochester, N.Y. 14624 be appointed as Stenographer PT for the Town of Chili for the balance of the year 1980, effective November 1, 1980, to be paid on the basis of an annual salary of \$5,512.50 for 1980. Seconded by Councilman Nowicki. Carried with the following vote: Councilman Ramsey aye; Councilman Pikuet aye; Councilman Nowicki aye; Councilman Criddle aye; Supervisor Powers aye.

Corres. No. 421 Memo dated October 27, 1980 to Town Board from Supervisor Powers re: vacancy on Zoning Board and recommending Ralph Barbaro be appointed. (Held over until November 5th meeting.)

Corres. No. 422 Letter from Bartara Denigris, Blood Drive Chairman, requesting that the Town Proclaim November 11th as Blood Donor Day.

#329 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Tuesday, November 11, 1980 be proclaimed Blood Donor Day in the Town of Chili. Seconded by Councilman Nowicki. Carried with the following vote: Councilman Ramsey aye; Councilman Pikuet aye; Councilman Nowicki aye; Councilman Criddle aye; Supervisor Powers aye.

General discussion of rental procedures and conditions of the DeMeco House. Scout leaders will be attending next Recreation Comm. meeting to discuss the situation.

Mr. Kelly advised that the County Attorney, Mr. Doyle, is looking into obtaining a waiver on adhering to the Federal minimum wage schedule for the parking lot project in Memorial Park. He should be hearing from him by the end of this week.

The Adjourned Town Board Meeting was closed at 7:30 P.M.

# TOWN OF CHILI



CAROL A. O'CONNOR  
TOWN CLERK

3235 CHILI AVENUE • PHONE 889-3550 • ROCHESTER, NEW YORK 14624

RESOLUTION OFFERED BY COUNCILMAN NOWICKI and second by Councilman Criddle.

WHEREAS The Supervisor presented his tentative budget for the Town of Chili for the fiscal year 1981 on Oct. 21, 1980 to be known as Budget A and

WHEREAS the Councilman presented their tentative budget on Oct. 27 1980 to be known as budget B

NOW, THEREFORE, BE IT RESOLVED that this Town Board does hereby approve Preliminary Budget B for the Town of Chili for the Fiscal year 1981 the itemized statement of the estimated revenue and expenditures hereto attached and made a part of this resolution, and

BE IT RESOLVED that this preliminary Budget B shall be filed in the office of the Town Clerk where it shall be available for inspection of any interested person at all times and

BE IT FURTHER RESOLVED that this Town Board shall meet at 8:45 P.M. on the 4th day of November 1980 for the purpose of holding a Public Hearing on said Preliminary Budget and

BE IT RESOLVED that the Town Clerk give notice of such Public Hearing in manner provided in the Democrat and Chronicle an official newspaper of the Town of Chili.

Second by Councilman Criddle: Carried by the following vote:  
Councilman Ramsey aye, Councilman Pikueta aye, Councilman Nowicki aye, Councilman Criddle aye, Supervisor Powers No.

TOWN BOARD MEETING  
November 5, 1980

At 8:00 P.M. on Tuesday, November 5, 1980, Supervisor Powers called to order a meeting of the Town Board of the Town of Chili. The meeting was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624.

Town Clerk Carol O'Connor read the Invocation which was followed by the Pledge of Allegiance.

Roll Call: Supervisor Powers, Councilman Ramsey, Councilman Pikuot, Councilman Nowicki, Councilman Criddle.

Also Present: Carol O'Connor, Town Clerk, Mr. Kelly, Town Attorney, Mr. Chudyk, Superintendent of Highways, Mr. Kiselycznyk, Erdman, Anthony Consulting Engineer, Mr. Vail, Insurance Counselor

The Minutes of the Town Board meetings of September 26, October 1, October 15, and adjourned meeting of October 27, 1980 were approved.

Corres. #423 Letter dated October 14, 1980 to James Powers, Supervisor, from D.C. Powell, Regional Traffic Engineer, N.Y.S.D.O.T., re: File: 26.13-252A, Study: 4804418, advising that they will investigate the area of Paul Road near the elementary school to determine a change in pavement markings to create a no passing zone.

Corres. #424 Copy of letter dated October 16, 1980 to Mr. Ed Krenzer, Jr., Secretary, Monroe Co. 4th Battalion, from Lucien A. Morin, County Manager, advising that he has requested Mr. Keefe to arrange a meeting with the 4th Battalion to discuss the Airport Master Plan.

Corres. #425 Letter dated October 17, 1980 to James Powers, Supervisor, from Gerald C. McDonald, Dir., Pure Waters, enclosing copy of letter mailed to residents on Chestnut Ridge Road to announce the sanitary sewer installation.

Corres. #426 Letter dated October 23, 1980 to Town of Chili from Monroe Co. Water Authority, re: Spring Lake Sub., Sec. 5, Phase 2, advising they will enter into an agreement with the developer for water supply and extension of mains and other facilities.

Corres. #427 News Letter from People's Cable TV.

Corres. #428 Letter dated October 28, 1980 to Mr. James Powers, Supervisor, from Mario Rodriguez, System Manager, People's Cable, summing up construction progress in Chili.

Corres. #429 Letter dated October 30, 1980 to James Powers, Supervisor, from Robert L. Fitch, Dir. of Transportation, County of Monroe, re: Chestnut Ridge Road (#76736) advising that they have been informed by the N.Y.S.D.O.T. that they will not hear from the State Commissioner regarding the abandonment of the former Chestnut Ridge right-of-way unless there is an objection; having received no objection, the Town may assume that the property was officially abandoned to the Town on May 6, 1980, the date this action was approved by the County Legislature.

The County Legislature states that property that has been abandoned goes to the adjoining property owner. Mrs. Kathy Powers, Supervisor Powers' secretary, said that a recent Legislative bulletin stated that the County has the authority to give property to the town. Mr. Kelly wants to see the letter.

Corres. #430 Minutes of the Chili Recreation and Youth Commission meeting held September 10, 1980, submitted.

Corres. #431 Minutes of the Chili Conservation Board Meeting held October 7, 1980 submitted.

Corres. #432 Chili Dog Control Report submitted for month of October, 1980 by Daniel Rose, Dog Control Officer.

## #330 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Superintendent of Highways be authorized to post Fenton Road to a 4-ton weight limit as per letter submitted October 23, 1980 to Town Board from Stephen A. Chudyk, Superintendent of Highways. Seconded by Councilman Criddle. Carried by unanimous vote.

## #331 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the following roads be included in designated snow routes as per letter dated October 23, 1980 to Town Board from Stephen A. Chudyk: Archer Road, Ballantyne, Bowen, Chili-Riga, Humphrey, Marshall, Stryker, Wheatland-Chili, Fisher, Brook, Fenton, and Reed Road. Seconded by Councilman Criddle. Carried by unanimous vote.

## #332 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that upon the recommendation of the Superintendent of Highways, Stephen A. Chudyk, that the bid for purchase of an abrasive spreader for the Highway Dept. be awarded to CYNCON Equipment, Inc., 6800 W. Henrietta Road, W. Henrietta, N.Y. for the bid price of \$ 7,190.00, without trade-in, per specifications bid on October 15, 1980. Seconded by Supervisor Powers and carried by unanimous vote.

Corres. #433 Letter dated October 28, 1980 to Town Board from Stephen Chudyk, Supt. of Highways, re: recommendations for driveway into Ranchmar Park.

Mr. Chudyk feels the driveway should be treated with calcium chloride in the spring. Only one application may be needed.

Corres. #434 Letter dated October 28, 1980 to the Hon. James Powers, from the Hon. Barber Conable, Jr., enclosing a copy of his response from the FAA supporting his plea for a public hearing on the airport expansion.

## #333 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Town Engineer, final release of monies being held in Letter of Credit for Pine Valley Sub., Sec. II is approved. Seconded by Supervisor Powers. Carried by unanimous vote.

## #334 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that \$10,000.00 be transferred from Item #4 Town Contractual, DS 5142.4, to Item 3 Contractual, DM 5130.4 as per letter dated November 5, 1980 to Town Board from Stephen Chudyk, Supt. of Highways. Seconded by Supervisor Powers. Carried by unanimous vote.

## #335 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Resolution #314 adopted October 15, 1980 be amended to authorize a purchase price not to exceed \$3,000.00 for a replacement steam cleaner for the Highway Department.

Mr. Chudyk stated that he could not find one for \$2,000.00 but he has found a steam cleaner for \$3,000.00. He informed the Board that there will be enough money available. Resolution seconded by Councilman Pikuet. Carried by unanimous vote.

Corres. #435 Report on N.Y.S. Association of Town Highway Superintendents meeting held September 23-26, 1980, submitted by Stephen Chudyk.

## #336 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Monroe County Department of Planning is hereby granted an extension of time from November 3, 1980 to November 17, 1980 in order for them to complete their review of the revised Zoning Ordinance and map. Seconded by Councilman Ramsey. Carried by unanimous vote.

## #337 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the following memorial resolution be adopted. Mr. Criddle read the letter of expression of gratitude for Judge Cramer's service to the community, a copy of which is to be mailed to Mrs. Cramer. Seconded by Councilman Pikuet. Carried by unanimous vote.

"WHEREAS he devoted his lifetime to service to his church and community in many and varied capacities, serving tirelessly and with an unbounded enthusiasm, and

WHEREAS during his fourteen years as Town Justice, he continually sought to expand his knowledge of the law and the judicial process and to administer justice tempered with compassion, ever ready to provide words of advice and counsel to those who appeared before him, with particular regard for young people and their problems, and,

WHEREAS those of us who had the good fortune to know him and to count him as a friend, owe him a sincere debt of gratitude for his contributions and his example, now therefore be it

RESOLVED that the Town Board of the Town of Chili does express its gratitude for the many contributions to the community made by the late NEIL C. CRAMER and does extend to the members of his family its deepest sympathy on the occasion of his passing."

## #338 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that upon the recommendation of the Town Engineer, Erdman, Anthony Associates, payment be made to T-5 Enterprises in the amount of \$30,141.00 for work completed in Davis Park, AND BE IT FURTHER RESOLVED that Supervisor Powers be authorized to issue a check from Federal Revenue Sharing in said amount.

To date \$37,786.00 has been paid which leaves a balance of \$12,547.50. The resolution was seconded by Councilman Pikuet. Carried by unanimous vote.

The Town Board Meeting was adjourned at 8:30 P.M. to hold the scheduled Public Hearing.

The Town Board Meeting reconvened at 9:10 P.M. with roll call remaining the same as before the Public Hearing.

## #339 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that June Gell, 15 Madera Drive, Rochester, N.Y. 14624, be appointed Part-time Clerk/typist for the Town of Chili, to be paid at the rate of \$4.10 per hour.

Councilman Pikuet questioned her experience. Supervisor Powers stated that she had worked for Security Trust but is now retired. He stated that she is a very pleasant individual. Mrs. O'Connor informed the Board that two back-up people are necessary because of vacations and illnesses. The resolution was seconded by Councilman Pikuet. Carried by unanimous vote.

## #340 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Supervisor Powers be authorized to obtain a BAN in the amount of \$36,000.00 effective for one year from November 14, 1980, bank and rate to be announced at a later date. Seconded by Councilman Nowicki. Carried by unanimous vote.

## #341 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Supervisor Powers be authorized to obtain a BAN in the amount of \$48,000.00 for a 79 gear grader to be effective for one year from November 14, 1980, bank and rate to be announced. Seconded by Councilman Nowicki. Carried by unanimous vote.

## #342 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Supervisor Powers be authorized to obtain a BAN in the amount of \$32,000.00 for a sweeper effective for one year from November 14, 1980, bank and rate to be announced. Councilman Pikuet seconded the resolution. Carried by unanimous vote.

## #343 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Supervisor Powers be authorized to obtain a BAN in the amount of \$ 33,500.00 and to make a principal payment in the amount of \$ 7,500.00 for the Morgan Road Water District effective December 5, 1980, bank and rate to be announced. Seconded by Councilman Pikuet. Carried by unanimous vote.

## #344 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the floating holiday for 1980 be on Friday, November 28, 1980. Seconded by Councilman Pikuet. Carried by unanimous vote.

## #345 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following transfers of funds be authorized:

|  |  |
|--|--|
| \$144.52 from Tax Collection Personal Services   |  |
| to Contractual                                   |  |
| \$ 26.53 from Town Clerk Personal Services to    |  |
| Contractual                                      |  |
| \$ 14.50 from General Contingent to Attorney     |  |
| Contractual                                      |  |
| \$ 221.00 from General Contingent to Unallocated |  |
| Insurance  |  |
| \$ 500.00 from Recreation Personal Services to   |  |
| Contractual                                      |  |

Seconded by Councilman Criddle. Carried by unanimous vote.

## #346 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Ralph Barbaro, 180 Hillary Drive, Rochester, N.Y. 14624, be appointed to fill the vacancy on the Zoning Board of Appeals with term of office to expire October 14, 1985. Seconded by Councilman Criddle. Carried unanimously.

## #347 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                     |             |
|-------------------------------------|-------------|
| General Fund Vo. Nos. 1245 to 1299* | \$20,518.93 |
| Highway Fund Vo. Nos. 636 to 680    | 10,110.39   |
| Comb. Drainage Dist.(Marlands Park) |             |
| Vo. No. B                           | 72.48       |
| Chili Drain, Impr. Area Vo. 2       | 100.00      |
| * Vo. Nos. 1261 & 1262 Voided       |             |

Seconded by Councilman Pikuet. Carried by unanimous vote.

## #348 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that a tonnage weight limit be placed on Archer Road. The Councilman moved that a four ton limit be enforced on the length of Archer Road from Beaver Road to Chili Avenue. Supervisor Powers seconded the resolution. Carried by unanimous vote.

Councilman Ramsey wanted to know if the weeds on the Desiato property have been cut down yet and if not, can anything be done. Supervisor Powers will check to see if a letter has been sent to Mr. Desiato about this matter.

Mr. Kelly stated he had received a decision on the church-school matter. The Town is granting an injunction for the church to make proper application. The church will probably make an appeal and obtain a stay.

Mr. Kelly stated that Mr. Chudyk wrote to Shorty's on Fenton Road about the curb cutting and a reply has not been received. The owner, Mr. Pelsher, and Mr. Falcone, who owns the property, will be notified that the Town expects this to be closed off. Mr. Kelly informed the Board that a regular guard rail can be used.

The Town Board Meeting was adjourned at 9:55 P.M.

*Carol O'Connor*  
CAROL O'CONNOR  
Town Clerk

P.S. (Additions per results of two Public Hearings)

#349 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Board adopt the Revenue Sharing Budget for 1981. Seconded by Councilman Pikueta. Carried by unanimous vote.

#350 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Board approve the Budget for 1981. Seconded by Councilman Ramsey. Carried by the following vote: Councilman Ramsey, aye, Councilman Pikueta, aye, Councilman Nowicki, aye, Councilman Criddle, aye, Supervisor Powers, no.

*Carol O'Connor*  
CAROL O'CONNOR  
Town Clerk

PUBLIC HEARING  
November 5, 1980

The scheduled Public Hearing for the Federal Revenue Sharing Budget for 1981 was called to order at 2:30 P.M. in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624. The meeting was called to order by Supervisor Powers.

Roll Call: Supervisor James Powers, Councilman Ramsey, Councilman Pikuet, Councilman Nowicki, Councilman Criddle

Also Present: Mrs. O'Connor, Town Clerk, Mr. Kelly, Town Attorney, Mr. Chudyk, Superintendent of Highways, Mr. Kiselycsnyk, Erdman, Anthony Consulting Engineer, Mr. Vail, Insurance Counselor.

Supervisor Powers stated that the total budget is \$ 154,000.00 and he is assuming that it will not change and will be renewed and extended.

The breakdown is as follows:

|                          |           |
|--------------------------|-----------|
| Expansion                | \$ 90,000 |
| Highway Garage           | 25,000    |
| License                  | 7,000     |
| Highway Equipment        | 20,000    |
| Emergency Lighting       | 1,000     |
| Radio - Supervisor's Car | 800       |
| Computer                 | 10,000    |

It will extend from October 1, 1980 to September 30, 1981. The first check will be received after the first of the year and will be received in four increments.

Supervisor Powers said that if the budget changes by more than 25% it must go back to a public hearing. The town will get \$ 35,000 back next year.

Mr. Jerry Brix-er, Chili Recreation Director, 14 Hartom Road made a statement supporting Councilman Ramsey's proposal of \$ 20,000 for Davis Park. He hopes that the plans for the park will be followed through.

Councilman Criddle moved that the Board adopt the Revenue Sharing Budget for 1981. It was seconded by Councilman Pikuet and passed unanimously.

The Public Hearing Closed at 8:45 P.M.

*Carol A. O'Connor*  
Town Clerk, Carol A. O'Connor

PUBLIC HEARING  
November 5, 1980

A Public Hearing was held by the Town Board, Town of Chili, at 8:45 P.M. for the Preliminary Town Budget Hearing for 1981, in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York, 14624.

ROLL CALL: Same as previously recorded.

Councilman Criddle stated that the budget is very acceptable.

Mr. John Castellano, 18 Andony Lane, informed the Board that he would like to see an increase in the salary of election inspectors for Chili. They received a raise two years ago and are the lowest paid inspectors in the County. This makes it difficult to get workers. The way it stands now, inspectors receive \$60.00 for election day and \$35 for registration and primary days, which is approximately \$3.50 per hour. The chairman receives an extra \$5.00. Supervisor Powers stated that the Board will consider this proposal.

Mr. Jerry Brixner, 14 Hartom Road stated that there have been two resignations in the Recreation Department because of the low pay. He asked for a 9% increase. He requested an increase for Ron Fodge who has worked for the town for 8 years and Joanne Prichard and Skip Small.

Supervisor Powers said that one person left the department for personal reasons rather than financial. He thanked Mr. Brixner for his comments.

The Public Hearing was closed at 9:10 p.m.

*Carol A. O'Connor*  
Town Clerk, Carol A. O'Connor

TOWN BOARD MEETING  
November 19, 1980

At 8:00 P.M. on Wednesday, November 19, 1980, Supervisor Powers called to order a meeting of the Town Board of the Town of Chili. The meeting was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, N.Y. 14624.

Town Clerk Carol O'Connor read the Invocation which was followed by the Pledge of Allegiance.

ROLL CALL: Supervisor Powers, Councilman Ramsey, Councilman Pikuet, Councilman Nowicki, Councilman Criddle

Also Present: Carol O'Connor, Town Clerk; Mr. Kelly, Town Attorney; Mr. Chudyk, Superintendent of Highways, Mr. Vall, Insurance Counselor

The minutes of the Town Board meeting held September 17, 1980 were approved.

Corres. #436 Letter dated November 5, 1980 to Bernard Winterman, Robert L. Massey, Jr., and James J. Powers, Supervisor, from Louis J. Patack, Trial Examiner, Public Employees Relation Board, enclosing copies of the Tally of Ballots and Certification on Conduct of Election in the vote regarding union representation for the Town Highway Department

The results of the vote was 13 to 8 in favor.

Corres. #437 Letter dated November 7, 1980 to Chili Town Board from Jerome F. Brixner thanking them for his appointment to the Drainage Committee.

Corres. #438 Letter dated November 11, 1980 to Town of Chili from James E. Kokot, Engineering Manager, Monroe Co. Water Authority, re: Pine Valley Sub., Sec. 2, advising they are accepting the water main and appurtenances as part of their system.

Corres. #439 Memo to Monroe County Town Supervisors from Robert L. Fitch, Director of Transportation, County of Monroe, re: 1980-81 Snow and Ice Contracts, advising that the Town Highway Superintendents are authorized to provide snow and ice control services to all of the roads in the County Highway System within the town until such time that the new contracts have been submitted to the towns, signed and returned to the County.

Corres. #440 Letter dated November 14, 1980 to Supervisor Powers from Graham E. Chamberlain, Rochester Gas and Electric, advising that the lighting changes on Chestnut Ridge Road at Starlite Drive and Chili Avenue at Stottle Road have been completed.

Corres. #441 Memo dated November 14, 1980 to Town Board from Supervisor Powers re: annual audit.

#351 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED That Michael S. Boychuk be authorized to audit the Supervisor's books for the year 1980 at a cost of \$2,800.00 to be paid from the 1981 appropriations. Seconded by Councilman Ramsey and unanimously approved.

Corres. #442 Letter dated November 17, 1980 to Town Board, Town of Chili, from Michael S. Boychuk, re: agreement to convert General and Highway Fund Accounts to computer effective 1/1/81 for an initial set-up cost of \$ 600.00, monthly processing charges of approximately \$125 per month. (Appropriation has been made in the 1981 budget.)

Councilman Nowicki requested a meeting of the people concerned before a decision is made. Supervisor Powers stated it is already in the budget, but Mr. Boychuk will be there Monday if anyone wants to discuss this with him.

Corres. #443 Invoice from Blue Bird Coash Lines dated November 6, 1980 for trip to Trinkhaus Manor which requires payment in advance in the amount of \$345.00.

## #352 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$345.00 to Blue Bird Coach Lines in payment of a bus trip scheduled for December 4, 1980 for the Golden Agers Club. Seconded by Councilman Pikuet and unanimously approved.

Corres. #444 Copy of Judgement and Order served on Reverend Rodney Jones in the matter of the Town of Chili vs. Grace Covenant Church and signed by Hon. John A. Mastrella, Supreme Court Justice, enjoining Grace Covenant Church from continuing to operate its Church school unless they make application for a conditional use to the Town of Chili within thirty days from service of the Judgement.

The Judgement and order was served on November 18, 1980.

Corres. #445 Delinquent Tax Bill from the County of Monroe regarding property on Yolanda Drive, total amount due \$185.44.

Corres. #446 Memo dated November 14, 1980 to Chili Town Board from Daniel F. Rose, Dog Control Officer, re: transfer of funds.

## #353 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that \$181.16 be transferred from Control of Dogs Equipment A3510.2 to Control of Dogs Personal Services A3510.2 to Control of Dogs Personal Services A3510.1. Seconded by Councilman Ramsey and unanimously approved.

Corres. #447 Letter dated November 10, 1980 to the Town Board from J. Norman Vail, Insurance Counselor, re: Bonds on Town Elected and Appointed Employees.

## #354 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the Insurance Counselor, Mr. Vail, be authorized to obtain the bond on Town Elected and appointed Employees for 1981 with the following specific amounts to be included:

|                        |              |
|------------------------|--------------|
| Receiver of Taxes      | \$100,000.00 |
| Deputy Rec. of Taxes   | 50,000.00    |
| Supervisor             | 50,000.00    |
| Supervisor Hwy. Funds  | 50,000.00    |
| Town Justices (2@)     | 5,000.00     |
| Justice Clerk & Dep. @ | 5,000.00     |
| Supt. of Pub. Works    | 5,000.00     |
| Supt. of Highways      | 5,000.00     |
| Town Clerk             | 10,000.00    |
| Dep. Town Clerk        | 5,000.00     |

Seconded by Councilman Criddle and unanimously approved.

Corres. #448 Letter dated November 19, 1980 to Town Board from Stephen A. Chudyk, Supt. of Highways, re: need for guard rail on Fenton Road at an estimated cost of \$3,000.00, funds for which were not provided in the 1981 budget, and asking the Board's pleasure.

Councilman Nowicki asked if there are any funds available and Mr. Chudyk replied there were not. The Board requested Supervisor Powers go to the County for assistance in this matter.

Corres. #449 Letter dated November 19, 1980 to Town Board from Stephen A. Chudyk, Supt. of Highways, re: transfer of funds.

## # 355 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that \$5,170.83 be transferred from Item 4 Other Govts. Contractual DS 5148.4 to Item 4 Town Snow Removal Contractual DS 5142.4. Seconded by Councilman Nowicki and unanimously approved.

Corres. #450 Letter dated November 19, 1980 to Town Board from Stephen A. Chudyk, Supt. of Highways, re: pear tree which was accidentally cut down on the Lexington Parkway mall and recommending that authorization be given and money appropriated (approx. \$15.00) for replacement of the tree.

Mr. Chudyk stated that money will be available in the spring when this will be taken care of.

#356 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the necessary amount of money be made available to Stephen A. Chudyk, Supt. of Highways, for the replacement of the tree which was accidentally cut down on the Lexington Parkway mall. Seconded by Councilman Ramsey and unanimously approved.

The Town Board Meeting was adjourned at 8:30 P.M. to hold the scheduled Public Hearing.

The Town Board Meeting reconvened at 8:40 P.M. with roll call remaining the same as before the Public Hearing.

#357 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Board increase the income ceiling for the elderly from \$8,000 to \$9,200 effective January 1, 1981. Seconded by Supervisor Powers and passed unanimously.

#358 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Local Law #P-7-80 for parking be adopted. Seconded by Councilman Ramsey and unanimously approved.

Mr. Vail informed the Board that he had attended a meeting yesterday, November 19, 1980, and found out that the town would be liable if a car was towed from a snow route even by a private company.

Mr. Chudyk stated there are 72 miles of designated snow routes in the town, but this would pertain to all town roads.

#359 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that \$5,000.00 be transferred from Recreation Personal Services A7310.1 to Recreation Contractual A7310.4. Seconded by Councilman Ramsay and unanimously approved.

#360 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that \$74.55 be transferred from Town Clerk Personal Services A1410.1 to Town Clerk Contractual A1410.4. Seconded by Councilman Criddle and unanimously approved.

#361 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that \$144.00 be transferred from General Contingent Fund A1990.4 to Unallocated Insurance A1910.4. Seconded by Supervisor Powers and unanimously approved.

#362 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that \$287.52 be transferred from Parks Equipment A7110.2 and \$712.48 be transferred from Parks Personal Services A7110.1 to Parks contractual A7110.4. Seconded by Councilman Ramsey and unanimously approved.

#363 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                   |             |
|-----------------------------------|-------------|
| General Fund V. Nos. 1328 to 1479 | \$14,964.74 |
| Highway Fund Vo. Nos. 681 to 719  | 20,961.20   |
| Rev. Sharing Vo. No. 8            | 105.80      |
| Chili Drainage No 1 Vo. 3         | 75.00       |

Seconded by Councilman Nowicki and unanimously approved.

Councilman Ramsey asked Mr. Chudyk what condition the Town's packer equipment is in. Mr. Chudyk replied that one of the two old packers is in bad shape and will need repairs this summer.

Mr. Chudyk stated he would like to look at the packer being offered by the Town of Irondequoit for possible purchase. It is used equipment and would probably not be high priced. Mrs. Kathy Powers stated there will be money available in the 1981 budget under highway for this equipment.

\*\*  
#365

RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that upon the recommendation of the Chili Recreation and Youth Commission, that Mr. Richard Inclima be removed from his position as a member of the Recreation Commission. Seconded by Councilman Ramsey and unanimously passed.

Councilman Ramsey asked about the Desiato property. Supervisor Powers answered that a letter had been sent to them, but the Town has received no response.

Mr. Kelly stated that the Rochester Drive-in has been making an effort with Burger King to patrol the area when X-rated movies are being shown so there will be no trespassing.

The meeting was adjourned at 9:25 P.M.

\*\*  
#364

RESOLUTION OFFERED BY COUNCILMAN PIKUET (omitted from above-should precede #365)

RESOLVED that the Superintendent of Highways be authorized to submit bids on the two packers being disposed of by the Town of Irondequoit with the stipulation that each bid contain the contingency that it be accepted only if the bid on the other unit is not accepted. Seconded by Councilman Ramsey and passed unanimously.

*Carol O'Connor*  
CAROL O'CONNOR  
Town Clerk

PUBLIC HEARING  
November 19, 1980

The scheduled Public Hearing for the Increase in exemption for the Elderly was called to order at 8:30 P.M. in the Chili Administration Offices 3235 Chili Avenue, Rochester, N.Y. 14624, by Supervisor Powers.

Present: Supervisor Powers  
Councilman Ramsey  
Councilman Pikuett  
Councilman Nowicki  
Councilman Criddle

Also Present: Mrs. O'Connor, Town Clerk  
Mr. Kelly, Town Attorney  
Mr. Chudyk, Superintendent of Highways  
Mr. Vail, Insurance Counselor

Councilman Criddle asked what this amount would be if they were to tax revenue accounts. Supervisor Powers stated it would be very minimal.

Councilman Ramsey asked if this applies to school tax and Supervisor Powers answered it is just an exemption. It is an income figure and if they are under the present \$8000 income they are entitled to an exemption.

As there were no other questions, the public hearing was adjourned at 8:40 P.M.

  
CAROL O'CONNOR  
Town Clerk

## TOWN BOARD MEETING

December 3, 1980

At 8:00 P.M. on Wednesday, December 3, 1980, Supervisor Powers called to order a meeting of the Town Board of the Town of Chili. The meeting was held in the Chili Administration Offices, 3235 Chili Ave., Rochester, N.Y. 14624.

Town Clerk Carol O'Connor, read the Invocation which was followed by the Pledge of Allegiance.

Present: Supervisor Powers  
Councilman Ramsey  
Councilman Nowicki  
Councilman Criddle

Also Present: Carol O'Connor, Town Clerk  
Mr. Kelly, Town Attorney  
Mr. Chudyk, Superintendent of Highways  
Mr. Kiselycznyk, Erdman, Anthony Consulting Engineer

The minutes of the Town Board meeting held November 5, 1980 were approved. Supervisor Powers welcomed Boy Scout Troup 178 who were there for purposes of working on their communications badge.

Corres. #451 Letter from Chili Fire Department, Inc. re: Additions to active list.

#366 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED THAT UPON THE RECOMMENDATIONS OF THE Chili Fire Department, Inc. the following names are added to the list of active volunteers:

Richard Daney, 115, King Road, Churchville, 14428  
Joseph A. Welburn, 262 Meadowbrook Farm, N. Chili, 14514  
Lyle J. Wemuth, 4357 Buffalo Road, N. Chili, 14514  
Harry B. Trulli, 81 Parkway Drive, N. Chili, 14514

AND BE IT FURTHER RESOLVED THAT the Insurance Counselor, Mr. Vail, be so notified.

Seconded by Councilman Ramsey and unanimously approved.

Corres. #452 Letter from Chili Fire Department, Inc. re: Removals from Active List.

#367 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Chili Fire Department, Inc., the following names are removed from the list of active volunteers:

Robert A. Sierk, 26 Loring Place, Rochester, 14624  
Alfred A. Newell, 262 Meadowbrook Farm N. Chili, 14514  
Daniel K. Legg, 262 Meadowbrook Farm, N. Chili, 14514  
Scott G. Gorall, 51 Hubbard Drive, N. Chili, 14514

AND BE IT FURTHER RESOLVED THAT the Insurance Counselor, Mr. Vail, be so notified.

Seconded by Councilman Nowicki and unanimously approved.

Corres. #453 Letter dated October 18, 1980 to James Powers, Supervisor, from Kermit Speer, President, Speer and Hendershot General Contractors, re: balance due their firm for work done in Henderson addition to Memorial Park.

The Town is holding \$400 of Mr. Speer's payment. He was present requesting the balance of his money. Mr. Speer is asking for \$2052.63 which he feels is owed to him for additional work on the project. Mr. Kiselycznyk of Erdman, Anthony stated that this is an extra cost and he feels that it should not be paid because the extra work makes up for items that were deleted from the original contract. Supervisor Powers asked Mr. Kiselycznyk what he feels should be paid to Mr. Speer and he was told that the \$400 is all that is owed.

Mr. Speer questioned what work was deleted from the contract. Mr. Kiselycznyk informed him that the drainage cleaning of the culvert on the railroad was not taken care of. Mr. Speer stated that his company graded and replaced and fine graded the topsoil as a favor to the Town. He said they could not put in stone because there was not enough money available for this and the pipe. Letters requesting payment were sent in September and October to Erdman, Anthony and to the Town.

Mr. Kiselycznyk stated his office was not informed that the grading was being done, but it still does not offset the cost. He held two meetings with Mr. Speer and he thought that everything was resolved at these meetings.

#368 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that \$400 be paid to Mr. Speer, President, Speer and Hender-shot General Contractors, thus relinquishing the Town's obligations of their contract with the above. Seconded by Councilman Ramsey and unanimously approved.

Corres. #454 Letter dated November 14, 1980 to James J. Powers, Supervisor, from D.C. Powell, Regional Traffic Engineer, NYS Department of Transportation, advising that their investigation of the centerline marking in the vicinity of Paul Road School has been completed and they are in agreement with the request to make this a no-passing area.

Corres. #455 Letter dated November 19, 1980 to Mr. James J. Powers, Supervisor, from Wilfred L. Herzog, Assoc. Engineer, County of Monroe, advising that the improvement program for Paul Road from Powers Lane to Chili Avenue, originally scheduled for 1980, will be put out for bid within the next several weeks and contract awarded in January; construction to start in spring of 1981 and completion by October, 1981.

Corres. #456 Letter dated November 19, 1980 to Supervisor James Powers from Robert L. Fitch, Director of Transportation and Superintendent of Highways, County of Monroe, re: funds for overpayment under NYS Department of Transportation Snow and Ice Control Contracts for period from 1974/75 through 1977/78.

#369 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the amount of \$389.85, representing overpayment for Snow and Ice Control Contracts for the period 1974/75 through 1977/78 with the State of New York, be deducted from the first payment under the 1980/81 County Snow Removal Contract. Seconded by Councilman Nowicki and unanimously approved.

Corres. #457 Letter dated November 18, 1980 to Carol O'Connor, Clerk, from NYS Department of Transportation, re: extension of 40 mph speed limit an additional .5+ miles southerly on Scottsville Road. This is from the city line to Basin Road.

Corres. #458 Letter dated November 21, 1980 to Carol O'Connor, Clerk, from NYS Department of Transportation, extension of 40 mph speed limit an additional .3+ miles northerly on Union Steet to Whittier Road.

Corres. #459 Letter dated November 24, 1980 to James J. Powers, Supervisor, from William K. Sanford, Executive Secretary, Association of Towns, indicating they have received our annual dues and that continued backing enables the Association to represent the feelings of the Towns and help to thwart further attacks on local self-government at the Town level.

Corres. #460 Copy of letter dated November 26, 1980 to Robert W. Burnett, Chairman, Library Board of Trustees, from David C. Borlen, Secretary, Library Board of Trustees, submitting his resignation effective December 31, 1980.

Corres. #461 Minutes of the Chili Conservation Board Meeting held November 3, 1980 submitted. To be on file in the Town Clerk's Office.

Corres. # 462 Minutes of the Regular Meeting of the Chili Library Board of Trustees held November 5, 1980 submitted. To be on file in the Town Clerk's office.

Corres. #463 Memo dated November 21, 1980 to Supervisor Powers and Board Members from Carol O'Connor, Town Clerk, re: postage.

#370 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$1,000.00 to RMRS System for additional postage on the postal meter. Seconded by Councilman Ramsey and unanimously approved.

Corres. #464 Letter dated December 1, 1980 to Chili Town Board from Jerome F. Brixner, Chairman, Recreation and Youth Commission, advising that they approve of the suggestion that responsibility for booking and collecting of fees for the DeMeco House be turned over to the Recreation Department.

#371 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Resolution #586 adopted December 1, 1976, be amended to read that the Recreation Department, rather than the Town Clerk, shall have permission to have DeMeco Building keys, to grant permission for use of the building and to collect fees for rental of the building, AND BE IT FURTHER RESOLVED that such fees shall be turned over to the Supervisor by the Recreation Department, together with the names of individuals of groups from whom such fees have been collected. Seconded by Councilman Criddle and unanimously passed.

Corres. #465 Letter dated December 1, 1980 to James J. Powers, Supervisor, from Erdman, Anthony, Associates, re: West Forest Estates, Sec. 1,- Final Approval of Front Portion, recommending release of the 10% retainages for this section.

#372 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that upon the recommendation of the Town Engineer, final release of monies for West Forest Estates, Sec. 1, (front portion) be made in the amount of \$2,524.00 for Drainage and \$6,407.00 for Roadways, dedication for which section was accepted on November 21, 1979. Seconded by Councilman Ramsey and unanimously approved.

Corres. #466 Letter dated December 1, 1980 to James J. Powers, Supervisor, from Erdman, Anthony, Associates, re: West Forest Estates Sec. 1, dedication of rear portion, recommending that such action be taken.

#373 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that upon the recommendation of the Town Engineer and the Superintendent of Highways, that dedication be accepted for roadways in West Forest Estates, Sec. 1 (rear portion). Seconded by Councilman Nowicki and unanimously approved.

Corres #467 Request for funds dated December 2, 1980 from Stephen A. Chudyk, Superintendent of Highways, re: purchase of 1000 vandalism stickers for traffic control signs within the Town at an estimated cost of \$500.00.

#374 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Superintendent of Highways, Stephen A. Chudyk, be authorized to purchase 1000 vandalism warning signs to be affixed to traffic control signs within the Town at an estimated cost of \$500.00. Seconded by Councilman Nowicki and unanimously approved.

Mr. Chudyk stated that the stickers will be put on the back of the signs. Other towns that have used this system have found that they have 30% less vandalism.

Corres. #468 Memo dated December 2, 1980 to Town Board from Robert E. Connolly, Building Inspector, re: passive solar homes, and requesting permission to go to Clifton Park, NY, to go through a solar panel factory and look at solar homes buildings built in that area.

#375 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Robert Connolly, Building Inspector, be authorized to go to Clifton Park, NY to go through a solar panel factory, expenses to be paid by voucher as incurred. Seconded by Supervisor Powers and unanimously approved.

Corres. #469 Letter dated December 3, 1980 to Town Board from Stephen A. Chudyk, Supt. of Highways, re: determination as to whether or not Harmon Lane is a public road.

Mr. Kelly stated that this road has been used by the town for over 10 years and should be considered a public road.

#376 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Harmon Road be recognized as a public road by the Town of Chili. Seconded by Supervisor Powers and unanimously approved.

Corres: 470 Letter dated December 3, 1980 to Town Board from Stephen A. Chudyk, Supt. of Highways, re: transfer of funds to enable road-side drainage work to be done during the remainder of the year.

#377 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that \$8,000.00 be transferred from Highway Fund Item 1 Personal Services DR5110.1 to Item 1 Contractual DR5110.4. Seconded by Supervisor Powers and unanimously approved.

Councilman Nowicki asked if Mr. Chudyk had specific projects to expend this money and was told there is a problem on Harold Ave. and on Adela Lane.

Corres. #471 Letter dated December 3, 1980 to Town Board from Stephen A. Chudyk, Supt. of Highways, re: diesel engine training school to be held in Syracuse during 1981 and requesting that one of the Highway Department mechanics be allowed to attend.

#378 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the Senior Mechanic from the Highway Dept. be allowed to attend diesel engine training school in Syracuse in the Spring of 1981. Seconded by Councilman Ramsey and unanimously passed.

Mr. Chudyk stated that none of the mechanics have this experience and it would be advantageous to send someone so that he could pass the information on to the other mechanics. Would like to send the Senior Mechanic in April.

Corres. #472 Letter dated December 3, 1980 to Town Board from Stephen A. Chudyk, Supt. of Highways, re: replacement of a replacement packer in 1981.

Supervisor Powers would like to meet with the private trash companies because he feels they should be picking up more than they are presently. The town would not have to spend more money to purchase new equipment of the private companies did this. He would like to look toward some legislation as far as what they should pick up.

Mr. Bob Fruschi, 170 Elm Drive, Rochester, of Hoff Brothers said the town must determine to what degree they want to be involved in pick-up. Most towns handle trash and leaves as two different things and handle yard debris themselves.

Corres. #473 Letter dated November 17, 1980, originally submitted November 19, 1980, to Town Board from Michael S. Boychuk, re: agreement to convert General and Highway Fund Accounts to computer effective 1/1/81 for an initial set-up cost of \$600.00, monthly processing charges of approximately \$125.00 per month. (Appropriation has been made in the 1981 budget.)

#379 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Supervisor Powers be authorized to sign the agreement with Michael S. Boychuk to convert General and Highway Fund Accounts to computer effective 1/1/81 for an initial set-up cost of \$600.00 and monthly processing charges of approximately \$125.00. Seconded by Councilman Ramsey and unanimously approved.

#380 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following transfers of funds be authorized:

|   |  |
|---|--|
| \$1.00 from Tax Collection Personal Services to Contractual |  |
| \$158.00 from Contingent to Town Clerk Contractual          |  |
| \$1,613.42 from Refuse & Garbage Pers. Serv. to Contractual |  |

Seconded by Councilman Ramsey and unanimously approved.

#381 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                  |              |
|----------------------------------|--------------|
| General Fund Vo. Nos. 1480-1522* | \$ 13,948.22 |
| Highway Fund Vo. Nos. 720-745    | 5,191.75     |
| Hillary Drain Dist. Vo. No. 11   | 41.46        |
| Rev. Shar. Vo. No. 9             | 26.45        |
| Chili Drain No. 1 Vo. Nos. 4-6   | 1,565.34     |

Seconded by Councilman Criddle and unanimously passed.

Mr. Fraser of Monroe County will meet with the Board on Thursday at 7:30 PM in Supervisor Power's Office.

Supervisor Powers has had an inquiry from the Playpen on Scottsville Road about the possibility of having topless dancers.

Councilman Nowicki asked whether anything had been done about the Fenton Road and Chestnut Ridge property. Mr. Kelly said he will contact the County to ask them to turn over the property to the town. The County has abandoned this property and has done nothing about it.

Mr. Kelly asked Mr. Chudyk to put salt on the intersection of Chili Ave. and Chestnut Drive.

Supervisor Powers requested that the full organizational meeting be held on Tuesday, December 30, at 4:00 P. M.

Jerry Brixner, 14 Hartom Road, stated he was very pleased with the plowing service of the Highway Department.

Keith Lape, 19 Alfred Ave., was present to inform the Board of a number of safety problems in the Riverdale area. He would like a traffic light installed on the corner of Huron and Names. He stated that the speed limit signs in Riverdale are illegal and speeding is difficult to enforce because of this. They also have a problem of a stop sign disappearing on Names and Huron. He requested that Milewood Road be declared a dedicated road so that the town could plow and keep it repaired. Councilman Nowicki answered that the town is maintaining and plowing this road and he does not feel it is necessary to make this a dedicated road.

The meeting was adjourned at 10:30 PM.

  
Carol O'Connor  
Town Clerk

## TOWN BOARD MEETING

December 17, 1980

At 8:00 P.M. on Wednesday, December 17, 1980, Supervisor Powers called to order a meeting of the Town Board of the Town of Chili. The meeting was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, NY 14624.

Town Clerk Carol O'Connor read the Invocation which was followed by the Pledge of Allegiance.

Present: Supervisor Powers  
Councilman Ramsey  
Councilman Pikuett  
Councilman Nowicki  
Councilman Criddle

Also Present: Carol O'Connor, Town Clerk  
Mr. Kelly, Town Attorney  
Mr. Chudyk, Superintendent of Highways  
Mr. Vail, Insurance Counselor

- Corres. #473 Board Decision and Order, Case No. C-2090, in the Matter of Town of Chili, Employer and Chili Unit, Monroe County Local, CSEA, Inc., Local 1000. AFSCME, Petitioner, indicating that ballots cast indicate that the majority of eligible voters in the unit do not wish union representation.
- Corres. #474 Copy of letter dated November 26, 1980 to Ms. Lamarr J. Jackson, Affirmative Action Coordinator, from W. Vito Zambelli, Director, Dept. of Housing and Urban Development, Labor Relations, advising that laborers and mechanics regularly employed by a CDA recipient community are not subject to prevailing wage requirements.
- Corres. #475 Letter dated December 8, 1980 to Chili Town Board from Don B. Martin, Director of Planning, Department of Planning, re: Revisions to the Town of Chili Zoning Ordinance (File #C1-630Z).
- Corres. #476 Letter dated December 15, 1980 to Mr. James L. Powers, Supervisor from Graham E. Chamberlain, Dir. of Street Lighting, Rochester Gas & Electric, advising of lighting changes completed at Chestnut Ridge Road and Oliver Lane.
- Corres. #477 Chili Dog Control Report submitted for month of November 1980. To be on file in the Town Clerk's office.
- Corres. #478 Renewal Notice for Fire Marshal's membership in National Fire Protection Association.

#382 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Superintendent Powers be authorized to issue a check in the amount of \$ 50.00 for one year's membership in the National Fire Protection Association for the Town of Chili Fire Marshal. Seconded by Councilman Criddle and unanimously approved.

- Corres. #479 Letter dated December 11, 1980 to Town Board from Jerome F. Brixner, Chairman, Chili Recreation and Youth Commission, re: Skating rink attendants.

#383 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the following persons shall be hired for the position of skating attendants at the rate of \$3.10 per hour:

Susan Dambrowski, 12 Berna Lane, Rochester, 14624  
James Spence, 3027 Chili Avenue, Rochester, 14624  
John McGrath, 25 Red Bud Road, Rochester, 14624

Seconded by Councilman Pikuett and unanimously approved.

Corres. #480 Letter dated December 12, 1980 to Supervisor Powers from Robert Hunter, Chairman, Chili Planning Board re: Dintruff Subdivision, advising that the Planning Board unanimously decided to hold to the August 12, 1980 decision to deny the approval of this subdivision.

Supervisor Powers asked what is the Board's pleasure in this matter. Councilman Nowicki asked Mr. Dintruff if any of the suggestions made by the Building Department in the letter dated May 14, 1980, had been accomplished. Mr. Dintruff answered no, because he was advised by the Town Board to go back to the Planning Board. He talked to Mr. Hunter on October 1, 1980. The Assessor's office informed him that this is an illegal subdivision but they had already moved in.

Supervisor Powers asked if this application was filed in the County Clerk's Office and was told yes and the County stated it should be a local decision. Mr. Kelly stated that Mr. Dintruff must get a variance for the substandard lot and the lot with no rightaway. Supervisor Powers will set up an appointment with the Chairman of the Zoning Board and the Planning Board for Mr. Dintruff.

Corres. #481 Copy of Letter dated December 12, 1980 to Planning Board Members from Robert Connolly, Building Inspector re: Grace Covenant Church, violations of Building code as it pertains to the operation of a day school.

#384 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the application fees for the Grace Covenant Church be waived. Seconded by Councilman Criddle. Supervisor Powers voted no, all others voted yes. Resolution was approved.

Corres. #482 Letter dated December 12, 1980 to Town Board from Stephen A. Chudyk, Superintendent of Highways, re: transfer of funds.

#385 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the sum of \$10,000.00 be transferred from Highway Fund Account DS 5142.1 Item 4 Personal Services to DS 5148.1 Item 4 Personal Services. Seconded by Councilman Nowicki and unanimously approved.

Corres. #483 Letter dated December 15, 1980 to Town Board from Robert Connolly, Building Inspector, re: trip to Clifton Park, New York, Inspection of Solar Homes.

Corres. #484 Letter dated December 16, 1980 to Town Board from Stephen A. Chudyk, Superintendent of Highways, re: request for inside storage for road salt.

Councilman Nowicki asked Mr. Chudyk if he had explored the availability of funds to build a structure. He would like him to find out what share the State and Federal governments would give for this. Mr. Chudyk informed the Board that the state gives \$.80 per ton for storage. Last year the town spread 2500 tons.

Corres. #485 Letter dated December 17, 1980 to James J. Powers, Supervisor, from Norman Vail, Insurance Counselor in regards to parked cars on Town streets.

Mr. Vail stated that no insurance coverage is available. He would like the names of the Towing Companies so that the Town can get this insurance.

Supervisor Powers will call the Sheriff's Department to find out who they call.

Corres. #486 Letter dated December 12, 1980 to William C. Kelly, Chili Town Attorney, from John F. Zea, Regional Manager of General Code Publisher's Corp. informing Mr. Kelly of the progress on the Code of the Town of Chili and the steps to be taken to complete work.

#386 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following transfers of funds be approved:

\$150.00 from Safety Inspection Personal Serv. to Contractual  
 \$1504.73 from Refuse & Garbage Personal Serv. to Contractual  
 \$500.00 from Contingent to Garbage Contractual  
 \$759.00 from Contingent to Unallocated Insurance.

Seconded by Councilman Pikuet and unanimously approved.

#387 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the 1980 Budget Item for Insurance Recoveries General Fund be amended to be increased by \$400.00 AND BE IT FURTHER RESOLVED that General Fund Appropriations, Highway Garage, be increased by \$400.00 to cover cost of repairs to Highway Garage as a result of a break-in in September 1980.

The amount of the break-in was more than \$400.00, Mr. Chudyk stated that the loss to the Town was approximately \$1,000.00 because of depreciation.

#388 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                 |              |
|---------------------------------|--------------|
| General Fund Vo. Nos. 1523-1595 | \$ 28,690.62 |
| Highway Fund Vo. Nos. 746-780   | 15,556.80    |
| Comb. Drain (Sunderlands) Vo. 9 | 34.05        |

Seconded by Supervisor Powers and unanimously approved.

Councilman Ramsey will have the hours for the Skating Rink posted and also that skating helmets must be worn by the hockey players.

Corres. #487 Councilman Nowicki wanted to know what the Board's feelings were about the letter from the County on the new Zoning Ordinance. Supervisor Powers stated that they must meet with Bill Steinfeldt as soon as possible on this matter.

Mr. Kelly would like to get a meeting together with the Drainage Committee to discuss consolidating the drainage districts.

Gerald Hendrickson, 480 Stottle Road, would like to see amber lights on Chili-Scottsville Road and on Union Street near the creek. Traveling at night, it is difficult to see when it is foggy.

Mr. Chudyk presented a letter from Ms. Anderson, one of his employees who would like a pay raise because some of her job responsibilities have increased. Supervisor Powers stated that most part-time clerk/typists have the same responsibilities and their pay rate is comparable. Councilman Criddle would like a meeting of the Personnel Committee after the first of the year to resolve this issue.

Keith Lape, 19 Alfred Avenue, stated that the stop sign that he mentioned at the last meeting was replaced by the Town, but it took seven days to do this. He contacted Monroe County Sheriff's Captain Hall of Zone B to have a stake out to watch for problems with keeping this sign up.

The meeting was adjourned at 9:15 P.M.

Carol O'Connor  
 Town Clerk

TOWN BOARD MEETING  
December 30, 1980

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At 4:00 P.M. on Wednesday December 30, 1980 Supervisor Powers called to order a meeting of the Town Board of the Town of Chili. The meeting was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624.

Town Clerk Carol O'Connor read the Invocation which was followed by the Pledge of Allegiance.

Present: Supervisor Powers  
Councilman Ramsey  
Councilman Pikuett  
Councilman Nowicki  
Councilman Criddle

Also Present: Carol O'Connor, Town Clerk  
Mr. Kelly, Town Attorney  
Mr. Chudyk, Superintendent of Highways  
Mr. Vail, Insurance Counselor

The minutes of the Town Board meeting held November 19, 1980 were approved.

- Corres. #488 Thank you note to the Chili Town Board from Ethel Cramer.
- Corres. #489 Notice of Order dated November 24, 1980 from N.Y.S.D. O.T. re: Posting of stop sign on Milewood Road.
- Corres. #490 Letter dated December 22, 1980 to Mr. James J. Powers Supervisor, from Glenn R. Cooke, Exec. Director, Genesee Finger Lakes Regional Planning Council, re: approval of Areawide Housing Opportunity Plan which was granted by HUD on December 10, 1980.
- Corres. #491 Letter dated December 22, 1980 to Town of Chili from Kermit Speer and Burton Hendershot, General Contractors, advising that they are not accepting the \$400.00 check issued as final payment for work done in Henderson addition to Memorial Park and are contacting the American Arbitration Association.
- Corres. #492 Copy of Letter dated December 23, 1980 to Mr. Kermit Speer and Supervisor Powers from American Arbitration Association advising that Mr. Speer has filed a Demand for Arbitration and enclosing a copy of Construction Industry Arbitration Rules and a list of names to serve as arbitrator.
- Corres. #493 Up-dated list of members of the Chili Fire Department Fire Police Squad to be effective January 1, 1981, submitted by Gordon C. Mosher, Captain.

#389 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the membership list of the Chili Fire Department Fire Police Squad as submitted by Mr. Mosher, Captain, to be effective January 1, 1981 subject to those conditions stated in the previous resolution set by the Town Board, any additions or deletions to be cleared through the Town Board. Seconded by Councilman Nowicki and unanimously approved.

Corres. #494 Minutes of regular meeting of the Chili Library Board of Trustees held December 2, 1980 submitted. To be on file in the Town Clerk's Office.

Corres. #495 1980-81 Snow and Ice contract with County of Monroe.

## #390 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Supervisor Powers be authorized to sign the agreement between the Town of Chili and County of Monroe for provision of Snow and Ice Control Services to County Highways for the 1980-81 season. Seconded by Councilman Ramsey and unanimously approved.

Corres. #496 Letter dated December 16, 1980 to Chili Town Board from Jerome F. Brixner, Chairman, Chili Recreation & Youth Commission, advising that the Parks Department will not flood either Ranchmar or Hubbard Parks for skating this winter.

Corres. #497 Letter dated December 16, 1980 to Chili Town Board from Jerome F. Brixner, Chairman, Chili Recreation & Youth Commission, re: request to increase salaries for gymnastics attendants to \$5.00 per hour, not to exceed \$2,000. for the 1981 Budget. Further requesting authorization to purchase \$1,653.00 of gymnastic equipment.

## #391 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that \$1,653.00 be encumbered for the purchase of gymnastic equipment for the Chili Recreation and Youth Commission. Seconded by Councilman Nowicki and unanimously approved.

Corres. #498 Letter dated December 16, 1980 to Chili Town Board from Jerome F. Brixner, Chairman, Chili Recreation & Youth Commission, advising that neighbors of Ranchmar Park and the Commission are in agreement with Mr. Chudyk's proposal to blade and apply liquid calcium chloride to the roadway into the park.

Corres. #499 Letter dated December 23, 1980 to Supervisor Powers and Board Members from Carol O'Connor, Town Clerk, requesting a check in the amount of \$15.00 payable to N.Y.S. Controller for Bingo money erroneously paid over to the Supervisor on her monthly report, for July, 1980.

## #392 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Supervisor Powers be authorized to issue a check in the amount of \$15.00 payable to the New York State Controller which amount represents money for bingo collected by the Town Clerk in July 1980 and erroneously turned over to the Supervisor. Seconded by Councilman Pikueta and unanimously approved.

Corres. #500 Letter dated December 29, 1980 to Town Board from Stephen A. Chudyk, Superintendent of Highways, re: transfer of funds.

## #393 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that upon the recommendation of the Superintendent of Highways, \$10,000 be transferred from Item #3 Personal Services DM 5130.1 Town Contractual DS5142.4 to cover cost of unanticipated salt purchases. Seconded by Councilman Nowicki and unanimously approved.

Corres. #501 Letter dated December 29, 1980 to Town Board from Stephen A. Chudyk, Supt. of Highways, requesting authorization to bid on equipment and supplies being disposed of by N.Y.S. Thruway Authority.

The Board would like to look at the list of equipment before Mr. Chudyk bids on them. This will be possible because Mr. Chudyk will not bid on anything before the end of January.

## #394 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the Supervisor be authorized to make transfers of funds as necessary to meet current year's obligations. Seconded by Councilman Pikuett and unanimously approved.

TRANSFERS

|          |      |          |    |          |
|----------|------|----------|----|----------|
| \$ 27.96 | from | A1110.1  | to | 1110.2   |
| 60.00    | from | A1330.1  | to | 1330.2   |
| 5.50     | from | A1410.1  | to | 1410.4   |
| 330.19   | from | A1990.4  | to | 1670.4   |
| 28.11    | from | A3410.2  | to | 3410.4   |
| 4.48     | from | A1990.4  | to | 3510.4   |
| 106.59   | from | A3620.1  | to | 3620.4   |
| 29.00    | from | A3640.4  | to | 3640.2   |
| 2546.44  | from | A1990.4  | to | 5010.1   |
| 205.46   | from | A1990.4  | to | 5132.4   |
| 228.42   | from | A7110.1  | to | 7110.4   |
| 246.59   | from | A7310.1  | to | 7110.4   |
| 735.71   | from | A7310.1  | to | 7310.2   |
| 2400.51  | from | A7310.1  | to | 7310.2   |
| 7.37     | from | A7510.4  | to | 7520.4   |
| 874.27   | from | A8160.1  | to | 8160.4   |
| 378.47   | from | DS5140.1 | to | DS5148.1 |
| 695.62   | from | DS9030.8 | to | DS9060.8 |

AND BE IT FURTHER RESOLVED that the 1980 Highway budget be amended to increase Item 3 Interest Account DM2401 to \$29,551.60 and increase appropriation accounts as follows:

|           |    |            |
|-----------|----|------------|
| DM5130.4  | to | 142,319.13 |
| DM9720.6  | to | 58,000.00  |
| DM97207.7 | to | 21,232.47  |

## #395 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that the following abstracts as prepared by the Town Clerk, Carol O'Connor, be approved and bills ordered paid as rendered:

|                                 |                  |
|---------------------------------|------------------|
| General Fund Vo. Nos. 1596-1628 | \$ 5,328.83      |
| Highway Fund Vo. Nos. 781-813   | <u>20,913.31</u> |
|                                 | \$ 26,242.14     |

Seconded by Councilman Ramsey and unanimously approved.

## #396 RESOLUTION OFFERED BY COUNCILMAN PIKUETT

RESOLVED that the following list of unpaid obligations be accepted for the year 1980:

|              |                  |
|--------------|------------------|
| General Fund | \$16,179.77      |
| Highway Fund | <u>34,117.08</u> |
|              | 50,296.85        |

Seconded by Councilman Criddle and unanimously approved.

The adjourned Town Board Meeting was adjourned at 4:18 P.M.

*Carol O'Connor*  
 Carol O'Connor  
 Town Clerk

TOWN BOARD MEETING  
December 30, 1980

At 4:18 P.M. on Wednesday, December 30, 1980 Supervisor Powers called to order a meeting of the Town Board of the Town of Chili. The meeting was held in the Chili Administration Offices, 3235 Chili Avenue, Rochester, New York 14624.

The Invocation and Pledge of Allegiance were waived.

Present: Supervisor Powers  
Councilman Ramsey  
Councilman Pikuett  
Councilman Nowicki  
Councilman Criddle

Also Present: Carol O'Connor, Town Clerk  
Mr. Kelly, Town Attorney  
Mr. Chudyk, Superintendent of Highways  
Mr. Vail, Insurance Counselor

#397 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
Re: Newspapers

RESOLVED that the following newspapers be designated for the Town of Chili for the year 1981 as the official newspapers:

Rochester Times-Union  
Rochester Democrat and Chronicle  
Gannett Newspapers  
Gates-Chili News  
Suburban News  
Erie Canal Publications

Seconded by Councilman Criddle and unanimously approved.

#398 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
Re: Banks

RESOLVED that the following banks be designated for the year 1981 for Town monies for the Supervisor:

Marine Midland Bank of Rochester  
Lincoln First Bank of Rochester  
Security Trust Company  
Central Trust Company

Seconded by Councilman Criddle and unanimously approved.

#399 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
Re: Bank for Town Clerk

RESOLVED that Marine Midland Bank of Rochester, Chi-Paul Branch be designated for the Town Clerk.

Seconded by Councilman Criddle and unanimously approved.

#400 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
RE: Bank for Receiver of Taxes

RESOLVED that Marine Midland Bank of Rochester, Chi-Paul Branch be designated for the receiver of Taxes and Assessments.

Seconded by Councilman Criddle and unanimously approved.

#401 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
Re: Safe Deposit Box

RESOLVED that a Safe Deposit Box be held at Marine Midland Bank of Rochester, Chi-Paul Branch; to deposit securities held for deposit.

Seconded by Councilman Criddle and unanimously approved.

- #402 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
Re: Salaries
- RESOLVED that the salaried employees shall be paid bi-weekly AND BE IT FURTHER RESOLVED that the hourly employees shall be paid on the bi-weekly payroll as per shedule of the County of Monroe for the year 1981.
- Seconded by Councilman Criddle and unanimously approved.
- #403 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
Re: Release of Payrolls
- RESOLVED that Supervisor Powers be authorized to release payroll checks upon receipt of duly authorized statements from the Department Heads involved.
- Seconded by Councilman Criddle and unanimously approved.
- Supervisor Powers appointed Kathleen Powers Secretary to the Supervisor and Budget Officer, and Bernice Wilcox Historian, and Deputy Supervisor, Claire Montgomery.
- #404 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE  
RE: Engineer
- RESOLVED that authorization be given to Supervisor Powers to enter into a contract on behalf of the Town of Chill with the engineering firm of Bergman Associates, to perform those engineering services outlined in the letter of Intent, said contract to include a no conflict of interest clause, for an amount not to exceed \$12,000.00 for the year 1981, to be paid on a monthly basis by voucher.
- Supervisor Powers voted no, the others voted yes. Resolution was passed. Seconded by Councilman Nowicki.
- #405 RESOLUTION OFFERED BY COUNCILMAN PIKUET  
Re: Meetings
- RESOLVED that Regular Town Board Meetings of Town of Chill be held on the first and third Wednesdays at 8:00 P.M. of each and every month for the year 1981 unless otherwise notified.
- Seconded by Councilman Ramsey and unanimously approved.
- #406 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE  
Re: Supervisor's Salary
- RESOLVED that the salary of Supervisor James J. Powers for the year 1981 shall be \$27,326.48, contractual expenses \$5,500.00, other expenses by voucher as incurred.
- Seconded by Councilman Pikuet and unanimously approved.
- #407 RESOLUTION OFFERED BY COUNCILMAN RAMSEY  
Re: Sec. to Sup. and Budget Officer
- RESOLVED that Kathleen Powers be paid an annual salary for the year 1981 of \$12,852.84 as Secretary to the Supervisor, AND BE IT FURTHER RESOLVED that she shall be paid an annual salary for the year 1981 of \$3,000.00 as Budget Officer.
- Seconded by Councilman Nowicki and unanimously approved.
- #408 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
Re: Attorney
- RESOLVED THAT William C. Kelly be duly appointed Town Attorney until the first day of January, 1981 and shall be paid a salary for the year 1981 of \$11,593.09, contractual expenses in the amount of \$4,659.47, for the office of Town Attorney, to be paid by voucher as incurred.

Supervisor Powers voted no, others voted yes. Resolution was passed. Seconded by Councilman Ramsey.

- #409 RESOLUTION OFFERED BY COUNCILMAN RAMSEY  
Re: Dep. Attorney

RESOLVED that Daniel L. Miller, 78 Archer Road, Rochester, NY shall be appointed Deputy Town Attorney for the year 1981 and shall serve at the pleasure of the Town Board, AND BE IT FURTHER RESOLVED that he shall be paid an annual salary of \$6,934.19, other expenses by voucher as incurred.

Supervisor Powers voted no, the others voted yes. Resolution was passed. Seconded by Councilman Nowicki.

- #410 RESOLUTION OFFERED BY COUNCILMAN PIKUET  
Re: Historian

RESOLVED that Bernice Wilcox, duly appointed Historian, be paid an annual salary of \$843.90, contractual expenses in the amount of \$600.00 and \$400.00 for equipment, expenses to be paid by voucher as submitted.

Seconded by Supervisor Powers and unanimously approved.

- #411 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE  
Re: Justices

RESOLVED that the annual salary of Town Justice Borzilleri shall be \$12,000.00 for the year 1981 and the annual salary of Town Justice Pelkey shall be \$9,000.00 for the year 1981, contractual expenses in the amount of \$6,750.00, equipment in the amount of \$100.00, to be paid by voucher as incurred.

Seconded by Councilman Ramsey and unanimously approved.

- #412 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Marilyn Sabol, 2016 Westside Dr., Rochester 14624 be appointed clerk to the Town Justices for the year 1981 and shall serve at the pleasure of the Town Board, AND BE IT FURTHER RESOLVED that she shall be paid \$9,000.00 for the year 1981.

Seconded by Councilman Criddle and unanimously approved.

- #413 RESOLUTION OFFERED BY COUNCILMAN RAMSEY  
Re: Councilmen

RESOLVED that the annual salaries of Councilman Ramsey, Pikuet, Nowicki and Criddle shall be \$5,107.76 each for the year 1981, contractual expenses in the amount of \$2,000.00 for all, to be submitted by voucher as incurred.

Seconded by Councilman Criddle. Supervisor Powers voted no, the others voted yes. The resolution was passed.

- #414 RESOLUTION OFFERED BY COUNCILMAN PIKUET  
Re: PT Clerks

RESOLVED that Diane R. Celento, Kimberly Ann Dr., Rochester N.Y. shall be appointed part-time clerk/typist and shall serve at the pleasure of the Town Board at an hourly rate of \$4.39, effective with PR #3.

Seconded by Councilman Ramsey and unanimously approved.

- #415 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Dorothy R. Stoessel, 118 Knights Trail, Rochester, NY shall be appointed part-time clerk/typist and shall serve at the pleasure of the Town Board at an hourly rate of \$4.39 effective with PR #3.

Seconded by Councilman Ramsey and unanimously approved.

#416 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Kathleen Reynolds, 1366 Paul Road, Churchville, NY, be appointed part-time clerk and shall serve at the pleasure of the Town Board at an hourly rate of \$4.39, effective with PR #3.

Seconded by Councilman Ramsey and unanimously approved.

#417 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Lorrie Anderson, 68 Hallock Road, Rochester, NY, shall be appointed part-time acct. clerk and shall serve at the pleasure of the Town Board at an hourly rate of \$4.39, effective with PR #3.

Seconded by Councilman Ramsey and unanimously approved.

Thursday, January 8, 1981 at 7:30 PM, the Personnel Committee will meet to discuss Ms. Anderson's job classification. Supervisor Powers will appoint a committee at the end of this meeting.

#418 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Carmel Kubitz, 155 Powers Lane, Rochester, NY, 14624, shall be appointed part-time clerk/typist and shall serve at the pleasure of the Town Board at an hourly rate of \$4.39 effective with PR #3.

Seconded by Councilman Ramsey and unanimously approved.

#419 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Patricia Schmitt, 8 Chi-Mar Drive, Rochester, NY be appointed part-time clerk/typist and shall serve at the pleasure of the Town Board at an hourly rate of \$4.39 effective with PR #3.

Seconded by Councilman Ramsey and unanimously approved.

#420 RESOLUTION OFFERED BY COUNCILMAN PIKUET

Re: Rec. of Taxes

RESOLVED that Jean Phillips, 80 Ballantyne Road, Rochester, NY duly appointed receiver of Taxes and Assessments for the Town of Chili, to serve until the first day of January 1982 and shall be paid an annual salary of \$12,593.90 for the year 1981, contractual expenses in the amount of \$1,200.00, to be paid by voucher as incurred.

#421 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Doris Puttock, 8 Westway Ct., Rochester, NY 14624 be appointed part-time clerk/typist and shall serve at the pleasure of the Town Board at an hourly rate of \$4.39 effective with PR #3.

#422 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

Re: Tel. Operator

RESOLVED that Madeleine Campoli, duly certified telephone operator shall be paid an annual salary for the year 1981 in the amount of \$ 8,753.97.

Seconded by Councilman Ramsey and unanimously approved.

#423 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

Re: Assessor

RESOLVED that duly qualified Assessor, Scott Carpenter, be paid an annual salary for the year 1981 of \$20,330.00, contractual expenses in the amount of \$2,400.00 to be submitted by voucher as incurred, equipment \$100.00.

Seconded by Councilman Ramsey and unanimously approved.

#424 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

Re: DeRoller

RESOLVED that Janet DeRoller Prov. Asst. to the Assessor shall be paid an annual salary for the year 1981 of \$11,770.00.

Seconded by Councilman Ramsey and unanimously approved.

#425 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
RE: Supt. of Highways

RESOLVED THAT Stephen A. Chudyk, duly certified Superintendent of Highways, shall be paid an annual salary for the year 1981 in the amount of \$16,876.40 contractual expenses in the amount of \$2,500.00 and equipment in the amount of \$650.00, to be paid by voucher as incurred.

Seconded by Councilman Ramsey and unanimously approved.

#426 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
Re: Comm. of Public Works

RESOLVED that Stephen A. Chudyk be appointed Commissioner of Public Works to serve until the first day of January 1982 and shall be paid an annual salary for the year 1981 in the amount of \$3,375.44 contractual expenses in the amount of \$250.00 and equipment in the amount of \$250.00 to be paid by voucher as incurred.

Seconded by Councilman Ramsey and unanimously approved.

#427 RESOLUTION OFFERED BY COUNCILMAN NOWICKI  
Re: Bldg. Insp.

RESOLVED that Robert Connolly, duly appointed Building Inspector, shall be paid in the amount of \$17,742.96 for the year 1981 contractual expenses in the amount of \$2,200.00 to be paid by voucher as incurred, equipment of \$7,000.00.

Seconded by Councilman Ramsey and unanimously approved.

#428 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Kathleen Reed, duly appointed clerk/typist, shall be paid an annual salary of \$8,239.00 for the year 1981.

Seconded by Councilman Ramsey and unanimously approved.

#429 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that June Gell, 15 Madera Dr., Rochester, 14626 be appointed part-time clerk/typist and shall serve at the pleasure of the Town Board at an hourly rate of \$439 effective with PR #3.

Seconded by Councilman Ramsey and unanimously approved.

#430 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Daniel F. Rose, 5 Ronnie Lane, N. Chili, NY be appointed Dog Warden for the Town of Chili and shall serve at the pleasure of the Town Board and shall receive an annual salary of \$15,939.00 for the year 1981, contractual expenses in the amount of \$5,000.00 and equipment in the amount of \$1,000.00 to be submitted by voucher as incurred.

Seconded by Councilman Ramsey and unanimously approved.

#431 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Dorothy Pharoah be appointed substitute Dog Warden for the year 1981 and shall serve at the pleasure of the Town Board, to be paid at an hourly rate of \$4.18 effective with PR #3.

Seconded by Councilman Ramsey and unanimously approved.

- #432 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE  
Re: Zon Bd. Chairman

RESOLVED that Janice Chapman, 7 Andony Lane, Rochester, NY shall be appointed Chairman of the Zoning Board of Appeals for the Town of Chili for the year 1981 and shall serve at the pleasure of the Town Board and shall be paid an annual salary of \$360.00 to be paid semi-annually, AND BE IT FURTHER RESOLVED that for any special meetings required, she shall be paid on a pro-rated basis, 1/12 of the annual salary, AND BE IT FURTHER RESOLVED that 1/12 of the annual salary shall be deducted for any meeting she fails to attend.

Seconded by Supervisor Powers and unanimously approved.

- #433 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE  
Re: Plan. Bd. Chairman

RESOLVED that Robert Hunter, 69 Ramblewood Drive, N. Chili NY shall be appointed Chairman of the Planning Board for the year 1981 and shall serve at the pleasure of the Town Board and shall be paid an annual salary of \$ 480.00 to be paid semi-annually, AND BE IT FURTHER RESOLVED that for any additional meetings that may be required, that he shall be paid on a pro-rated basis, 1/12 of the annual salary, AND BE IT FURTHER RESOLVED that 1/12 of the annual salary shall be deducted for any meeting he fails to attend.

Seconded by Supervisor Powers and unanimously approved.

- #434 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE  
Re: Zon. & Plan Bd. Members

RESOLVED that during the year 1981, each member of the Planning Board and Zoning Board of Appeals of the Town of Chili shall be paid an annual salary of \$180.00 to be paid semi-annually AND BE IT FURTHER RESOLVED that for any additional or special meetings that may be required, they shall be paid on a pro-rated basis, 1/12 of the annual salary, AND BE IT FURTHER RESOLVED that 1/12 of the annual salary shall be deducted for any meeting a member fails to attend.

Seconded by Supervisor Powers and unanimously approved.

- #435 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE  
Re: School Guards

RESOLVED that Eva Otterbein, Elizabeth Street, and Elizabeth McBride be appointed School Crossing Guards for some school crossings located in the Town of Chili for the year 1981 and shall be paid \$ 16.05 per day worked.

Seconded by Supervisor Powers and unanimously approved.

- #436 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE  
Re: Cleaner

RESOLVED that Isabel M. Oliver be appointed cleaner for the Town of Chili and shall serve at the pleasure of the Town Board for the year 1981 and shall be paid \$ 4.12 per hour effective with PR #3, AND BE IT FURTHER RESOLVED that she shall work for the General Fund five days per week, four hours per day.

SECONDED BY Supervisor Powers and unanimously approved.

- #437 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE  
Re: Town Clerk

RESOLVED that Carol A. O'Connor, duly elected Town Clerk for the Town of Chili, shall be paid an annual salary for the year 1981 in the amount of \$16,978.92 contractual expenses in the amount of \$ 4,500.00 and equipment in the amount of \$300.00 to be submitted by voucher as incurred.

Seconded by Councilman Howicki. Supervisor Powers voted no, the others voted yes. Resolution was passed.

## #438 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Sheila Fodge be appointed Substitute Dog Warden for the year 1981 and shall serve at the pleasure of the Town Board, to be paid at an hourly rate of \$4.18 effective with PR #3.

Seconded by Supervisor Powers and unanimously approved.

## #439 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Robert Mothnagle be appointed Chairman of the Board of Assessment Review for the Town of Chili for the year 1981 and shall serve at the pleasure of the Town Board, AND BE IT FURTHER RESOLVED that he shall be paid \$25.00 per meeting attended, to be submitted by voucher as incurred.

## #440 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that members of the Board of Assessment Review of the Town of Chili for the year 1981 be paid \$20.00 per meeting attended, to be submitted by voucher as incurred.

Seconded by Supervisor Powers and unanimously approved.

## #441 RESOLUTION OFFERED BY COUNCILMAN PIKUET

Re: Court Attendant

RESOLVED that Thomas Corcoran, Laredo Drive, Rochester 14624, be appointed Court Attendant for the year 1981 and shall serve at the pleasure of the Town Board, AND BE IT FURTHER RESOLVED that he shall be paid \$20.00 per meeting attended at the request of the Town Justices.

Seconded by Supervisor Powers and unanimously approved.

## #442 RESOLUTION OFFERED BY COUNCILMAN PIKUET

Re: Rec. Comm.

RESOLVED that Joseph Klapp be appointed a member of the Chili Recreation and Youth Commission for a term to expire December 31, 1987.

Seconded by Supervisor Powers and unanimously approved.

## #443 RESOLUTION OFFERED BY COUNCILMAN PIKUET

Re: Small tools

RESOLVED that the Superintendent of Highways, Stephen A. Chudyk, be authorized to buy small tools not to exceed \$1000.00 per section 142 of the Highway Law.

## #444 RESOLUTION OFFERED BY COUNCILMAN PIKUET

Re: Civil Service

RESOLVED that all hourly and salaried employees of the Town of Chili shall have been cleared with the County of Monroe Civil Service Commission.

Seconded by Supervisor Powers and unanimously approved.

## #445 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RE: Purchase Orders/Vouchers

RESOLVED that all purchase orders be signed by the Supervisor before purchases are made and that only in the case of emergency may a Department Head make any purchases, AND BE IT FURTHER RESOLVED that this purchase order shall serve as a voucher for the Town of Chili, AND BE IT FURTHER RESOLVED that all vouchers for the Town of Chili shall be audited and allowed if certified to be true and correct in a statement signed by one or on behalf of the vendor and which vouchers have been submitted by the Town Clerk on an abstract presented to Town Board at a Town Board Meeting.

## #446 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Laurie Hausler, duly appointed certified clerk/typist, shall be paid an annual salary for the year 1981 in the amount of \$7,952.19.

Seconded by Supervisor Powers and unanimously approved.

#447 RESOLUTION OFFERED BY COUNCILMAN PIKUET  
Re: CD's

RESOLVED that the Supervisor of the Town of Chili be authorized to place monies for various Supervisor's accounts in Certificates of Deposit as he forsees same for the year 1981.

Seconded by Councilman Ramsey and unanimously approved.

#448 RESOLUTION OFFERED BY COUNCILMAN PIKUET  
Re: Mileage

RESOLVED that the following be allowed mileage at the rate of 20¢ per mile for the year 1981 and which mileage must be submitted by voucher as incurred.

1. Supervisor
2. Deputy Supervisor
3. Receiver of Taxes and Assessments
4. Deputy Receiver of Taxes and Assessments
5. Town Clerk
6. Deputy Town Clerk
7. Assessor
8. Comm. of Pub. Works & Supt. of Highways
9. Building Inspector
10. Town Attorney
11. Deputy Town Attorney
12. Historian
13. Part-time Fire Marshall
14. Deputy Fire Marshall
15. Members of Civil Defense
16. Election Inspectors attending School and Chairmen
17. Councilmen

Seconded by Councilman Ramsey. Supervisor Powers voted no, the others voted yes. Resolution was passed.

#449 RESOLUTION OFFERED BY COUNCILMAN PIKUET  
Re: Road Foreman

RESOLVED that Mark Smith be appointed Road Foreman, for the Town of Chili Highway Department for the year 1981 and shall serve at the pleasure of the Town Board.

Seconded by Councilman Ramsey and unanimously approved.

#450 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that the following shall be authorized to attend the Association of Towns Meeting to be held in New York City on February 15th through 18th, 1981:

1. Supervisor
2. Budget Officer
3. Councilmen
4. Town Justices
5. Town Attorney
6. Deputy Town Attorney
7. Receiver of Taxes and Assessments
8. Town Clerk
9. Assessor
10. Supt. of Highways
11. Chairman, Zoning Board
12. Chairman, Planning Board
13. Historian
14. Court Clerk

Seconded by Councilman Ramsey and unanimously approved.

- #451 RESOLUTION OFFERED BY COUNCILMAN PIKUET  
Re: Fire Marshal

RESOLVED that James Christian be appointed part-time Fire Marshal for the Town of Chili and shall serve at the pleasure of the Town Board, to be paid an annual salary of \$7,573.46 for the year 1981, contractual expenses in the amount of \$800.00 equipment of \$50.00, to be paid by voucher as incurred.

Seconded by Councilman Ramsey and unanimously approved.

- #453 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Seasonal Recreation Director of the Recreation and Youth Commission shall be paid an annual salary of \$10,681.18 for the year 1981.

Seconded by Councilman Nowicki and unanimously approved.

- #452 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Ronald Fodge be appointed as PT Ground Equipment Operator of the Town of Chili for the year 1981 and shall serve at the pleasure of the Town Board, AND BE IT FURTHER RESOLVED that he shall be paid \$7,591.75 for the year 1981.

Seconded by Councilman Nowicki and unanimously approved.

- #454 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Seasonal Recreational Director for the Elderly Program shall be paid \$132.50 for the year 1981

Seconded by Councilman Nowicki and unanimously approved.

- #455 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Probationary Clerk/typist for the Recreation Department shall be paid \$8,750.00 for the year 1981.

Seconded by Councilman Nowicki and unanimously approved.

- #456 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the annual accounting for the year 1980 by the Town Clerk and Town Justices will be held on January 21, 1981.

Seconded by Councilman Nowicki and unanimously approved.

- #457 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Constance Wickins shall be appointed in the Town of Chili Library Board of Trustees to serve at the pleasure of the Board, with a term to expire December 31, 1985.

Seconded by Councilman Nowicki and unanimously approved.

- #458 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Robert A. Munger be appointed Town of Chili Civil Defense Administrator for the year 1981 and shall serve at the pleasure of the Town Board.

Seconded by Councilman Nowicki and unanimously approved.

- #459 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that J. Norman Vail be reappointed Insurance Counselor for the Town of Chili for the year 1981.

Seconded by Councilman Nowicki and unanimously approved.

## #460 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the following shall be appointed to be Fire Marshals for the Town of Chili for the year 1981 and serve at the pleasure of the Town Board:

1. John K. Steeve, Jr.
2. Robert Guelzow
3. Emery Burdett

Seconded by Councilman Nowicki and unanimously approved.

## #461 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the following be appointed to the Plumbing Examining Board for the Town of Chili for the year 1981 and shall serve at the pleasure of the Town Board:

1. Harry Willey, 15 Hallock Road, Roch. NY 14624
2. Bruce Miles, 46 Everett Drive, " "
3. Robert F. Russell, 19 Bright Oaks Cir. "

AND BE IT FURTHER RESOLVED that Harry Willey shall be appointed Chairman for the year 1981 and shall be paid \$15.00 for each meeting attended, AND BE IT FURTHER RESOLVED that members shall be paid \$10.00 per meeting attended, all to be submitted by voucher as incurred.

Seconded by Councilman Pikuet and unanimously approved.

## #462 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that the following shall be appointed to the Town of Chili Historical Committee and shall serve at the pleasure of the Town Board for the year 1981:

1. Scott Reisinger
2. Luella Shearing
3. Carol Brown
4. Sharon Hassall
5. George Goodwin

AND BE IT FURTHER RESOLVED that Bernice F. Wilcox shall chair the committee.

Seconded by Councilman Pikuet and unanimously approved.

## #463 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED THAT THE COMPENSATION OF ELECTION INSPECTORS for the year 1981 shall be at the rate of \$60.00 for Election Day and \$30.00 for Primary and Registration Days, to be paid by voucher after the last Registration Day and after Election Day.

Seconded by Councilman Pikuet and unanimously approved.

## #464 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that \$100.00 per Election District for the year 1981 be paid to each owner of the premises where polling places are designated, AND BE IT FURTHER RESOLVED that this is to cover heat, light, janitor, etc., and shall be paid by voucher after Election Day.

Seconded by Councilman Pikuet and unanimously approved.

#465 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Jim Christian be appointed Bingo Inspector for the Town of Chili for the year 1981 and shall serve at the pleasure of The Town Board, AND BE IT FURTHER RESOLVED that he shall be paid \$10.00 per month in which bingo games are conducted on a contract basis, AND BE IT FURTHER RESOLVED that he shall be paid by voucher as incurred.

Seconded by Councilman Pikueta and unanimously approved.

#466 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Clark Small be appointed as Gr. Eq. Op. to serve at the pleasure of the Town Board, AND BE IT FURTHER RESOLVED that he shall be paid \$ 5.16 per hour effective with PR #3.

Seconded by Councilman Pikueta and unanimously approved.

#467 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the Recreation Supervisor for the Town of Chili shall be paid an annual salary of \$11,770.00 for the year 1981.

Seconded by Supervisor Powers and unanimously approved.

#468 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that the two drop-in Center Directors for the Chili Recreation and Youth Commission for the year 1981 be paid a 7% increase effective with PR #3.

Seconded by Supervisor Powers and unanimously approved.

*468-B*

RESOLVED that the following respective positions for the Chili Recreation and Youth Commission be established for 1981:

- 1 Seasonal Playground Leader
- 8 seasonal Leaders
- 13 Seasonal Attendants
- 3 Seasonal Recreation Attendant
- 1 Special Ed. Leader
- 3 Special Ed. Attendants
- 2 Tennis & Archery Instructors
- 2 Drop-in Center Directors

Supervisor Powers would like to table this resolution until the next meeting.

#469 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Luella Shearing of 562 Paul Road, Rochester, 14624 be appointed substitute school guard, to serve at the pleasure of the Town Board, AND BE IT FURTHER RESOLVED that she shall be paid \$16.05 per day worked for the year 1981.

Seconded by Councilman Pikueta and unanimously approved.

#470 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Patricia Van Buren, Deputy Town Clerk, shall be paid \$9,702.00 for the year 1981.

Seconded by Councilman Pikueta. Supervisor Powers voted no, the others voted yes. Resolution was passed.

#471 RESOLUTION OFFERED BY COUNCILMAN RAMSEY

RESOLVED that Robert Shaffer be appointed as Laborer for the Parks Department, to serve at the pleasure of the Town Board AND BE IT FURTHER RESOLVED that he shall be paid \$4.63 per hour effective with PR #3.

Seconded by Supervisor Powers and unanimously approved.

## #472 RESOLUTION OFFERED BY COUNCILMAN PIKUET

RESOLVED that Kathleen Powers be appointed as Substitute Recorder of Minutes for the Town Board, to be paid at the rate of \$50.00 per meeting attended, to be submitted by voucher.

Seconded by Councilman Ramsey and unanimously approved.

## #473 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Victor Lynd be appointed Vice Chairman of the Zoning Board of Appeals for the year 1981 and shall be paid \$30.00 for any meeting he serves as Chairman.

Seconded by Councilman Howicki and unanimously approved.

## #474 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Betty Bartok be appointed Vice Chairman of the Planning Board for the year 1981 and shall be paid \$40.00 for any meeting she serves as Chairman.

Seconded by Councilman Pikuets and unanimously approved.

## #475 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that the Chairman, Vice Chairman, Development Coordinator and Recorder of Minutes for Chili Conservation Board shall be paid \$25.00 per meeting attended, all other members to be paid \$10.00 per meeting attended, to be paid by voucher and which is limited to one meeting per month.

Seconded by Councilman Ramsey and unanimously approved.

## #476 RESOLUTION OFFERED BY SUPERVISOR POWERS

RESOLVED that Michael Nyhan, Pixley Road, Rochester, N.Y. be appointed as Deputy Fire Marshal for the Town of Chili and shall serve at the pleasure of the Town Board, to be paid an annual salary of \$963.00 for the year 1981.

Seconded by Councilman Pikuets and unanimously approved.

## #477 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Gertrude Huff and Dorothy Stoessel shall be appointed as Deputy Receivers of Taxes for the year 1981, to be paid at the rate of \$4.39 per hour effective with PR #3.

Seconded by Councilman Pikuets and unanimously approved.

## #478 RESOLUTION OFFERED BY COUNCILMAN NOWICKI

RESOLVED that Carmel Kubitz be appointed as Recorder of Minutes for the Town Board, Zoning Board and Planning Board to serve at the pleasure of the Town Board for the year 1981, AND BE IT FURTHER RESOLVED that she shall be paid an annual salary of \$5,989.38 for the year 1981.

Seconded by Councilman Ramsey and unanimously approved.

## #479 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Supervisor Powers be named as the official delegate for the 1981 Association of Towns Meeting, AND BE IT FURTHER RESOLVED that Councilman Ramsey be named as the alternate delegate.

Seconded by Councilman Howicki and unanimously approved.

## #480 RESOLUTION OFFERED BY COUNCILMAN CRIDDLE

RESOLVED that Dorothy Stoessel be named part-time Deputy Town Clerk for the year 1981.

Seconded by Councilman Pikuets and unanimously approved.

