

Chili Town Board Meeting
February 8, 2017
Agenda

A. Call to Order

B. Invocation

Pledge of Allegiance

C. Roll Call

Councilman **Mark L. DeCory** _____

Councilwoman **Mary C. Sperr** _____

Councilman **Michael S. Slattery** _____

Councilman **Jordon I. Brown** _____

Supervisor **David J. Dunning** _____

D. Officials/Advisors:

Town Clerk **Virginia Ignatowski**

Deputy Town Supervisor **Councilman Slattery**

Counsel for the Town **Richard Stowe**

Commissioner of Public Works/Superintendent

Of Highways **David P. Lindsay, P.E.**

Director of Finance **Daniel Knapp**

Insurance Counselor **Eric Vail**

Supervisor's Office **Dawn Forte**

Stenographer **Sandy Hewlett**

FIRE SAFETY ANNOUNCEMENT: In the event of an emergency requiring the evacuation of the building, please use the indicated exits to my right, left and rear of the room to exit the building.

CELLULAR PHONES: Please turn off all cell phones or put them on silent mode.

E. Presentations/announcements:

F. Public Hearings: **Anyone wishing to be heard at a public hearing, please step up to the podium.**

G. Public Forum

Those wishing to be heard may raise their hand once the public forum starts, The Supervisor will call upon those who desire to address the Town Board until all have been heard. During the Public Forum period, each person will be allowed to comment for up to 5 minutes. Comments should be addressed directly to the Supervisor. Be respectful and courteous keeping comments as concise as possible. Questions pertaining to Agenda items will be answered when the Resolution is moved and seconded. Questions on topics not pertaining to the Agenda will be addressed at the conclusion of the speaker's time, if at all possible. Virginia L. Ignatowski, Town Clerk, will keep the time and notify you when you have 30 seconds remaining so that you can conclude your comments within the allotted time.

H. *Matters of the Supervisor* –

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New Matters:

Pending Matters:

1. Vacancy BAR (1 - Permanent & 1 - Temp Member) Committee.

Matters of the Town Council –

New Matters:

Pending Matters:

- I. Approval of Minutes – 1/4/2017, 1/18/2017

Reports Submitted –

Advanced Payment of Claims – January 2017

Chili Parks & Recreation Minutes – 11/15/2016, (No December 2016 Meeting).

Historic Preservation Board Minutes – 12/12/2016

Library Board Minutes – 12/13/2016

Planning Board Minutes – 12/13/2016

Recreation Center Report – January 2017

Senior Center Report – January 2017

Zoning Board Minutes – 12/20/2016

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from Abuelo & Abuela Enterprises, LLC, trade name Irvings' Place that they are applying for a liquor license located at 1440 Scottsville Road.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #106 RE: Donation to the Senior Center Trust and Agency Account

OFFERED BY: _____ **SECONDED BY:** _____

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

WHEREAS, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to accept a \$300.00 donation from Dorothy Alcock to be deposited in the Senior Center Trust and Agency.

RESOLUTION #107 RE: Senior Center Trust and Agency Account

OFFERED BY: _____ **SECONDED BY:** _____

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

WHEREAS, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to purchase a new gas grill for the Senior Center, amount not exceed \$500.00; and

WHEREAS, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to purchase new card tables for the Senior Center, amount not exceed \$1,000.00.

RESOLUTION #108 RE: Senior Center Trust and Agency Account

OFFERED BY: _____ **SECONDED BY:** _____

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

WHEREAS, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to use funds from said account to offset the cost of the following activity: Marcy Downey, "The Fabulous 50's" to be held on Friday, May 26, 2017 at the Senior Center, amount not to exceed \$500.00.

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RESOLUTION #109 RE: College Green Rental Associates, L.P. Pilot Agreement Extension

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that Supervisor Dunning is authorized to execute an amendment to the College Green Rental Associates, L.P. PILOT Agreement extending it for nine (9) years, commencing January 1, 2018 with re-negotiated terms, subject to the approval of the Counsel to the Town.

RESOLUTION #110 RE: Union Meadows Pilot Agreement Amendment

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, Union Meadows Housing Development Fund Company and the Town of Chili have an existing PILOT Agreement; and

WHEREAS, Union Meadows has proposed an amendment to the PILOT to resolve existing issues with its ownership and tax exempt status; and

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Dunning be authorized to execute an amendment for the balance of the PILOT's term.

RESOLUTION #111 RE: 2017 Budget Amendments – Senior Center

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Town of Chili has and desires to continue to host the ABVI Lunch Club 60, providing affordable meals for our Senior Citizens. Filling a much needed service to our community; and

WHEREAS, effective January 1, 2017, Monroe County has changed the process for which expenses for the ABVI Lunch Club 60 senior meal programs are paid for, and the Town must now pay the expenses upfront and get reimbursement from the County afterwards; and

BE IT RESOLVED, to amend the 2017 revenue budget A2351 (Programs for Aging – Other Governments) by an increase of \$36,912.00; amend the 2017 expense budget A6772.4 (Programs for Aging - Nutrition) by an increase of \$36,912.00.

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RESOLUTION #112 RE: Set Public Hearing to consider adoption of Local Law #_____ of 2017 amending the Code of the Town of Chili to add a new Article VII to Chapter 451 Taxation Entitled "Solar/Wind, Farm Waste Energy Opt Out".

OFFERED BY: _____ SECONDED BY: _____

WHEREAS, a Local Law to amend the Town Code to add a new Article VII to Chapter 451 Taxation Entitled "Solar/Wind, Farm Waste Energy Opt Out" has been advanced and introduced; and

NOW, THEREFORE, BE IT RESOLVED, that Local Law #_____ of 2017 of the Town of Chili entitled a Local Law amending the Code of the Town of Chili to add a new Article VII to Chapter 451 Taxation entitled "Solar/Wind, Farm Waste Energy Opt Out" as it relates to §487 of the Tax Law is introduced; and

BE IT FURTHER RESOLVED, that a Public Hearing is hereby scheduled for March 8, 2017 at 7:00 p.m. at the Town Hall Main Meeting Room, 3333 Chili Avenue, Rochester, NY 14624 to consider the adoption of Local Law #_____ of 2017.

RESOLUTION #113 RE: Establish Letter of Credit for American Packaging

OFFERED BY: _____ SECONDED BY: _____

BE IT RESOLVED, that per the recommendation of the Commissioner of Public Works and Town Engineer that a letter of credit be established for American Packaging in the amount of \$_____.

Items within the letter of credit include, but are not limited to storm sewers, storm water control features and erosion and sediment control.

RESOLUTION #114 RE: Chili Fire Department Addition to Active List

OFFERED BY: _____ SECONDED BY: _____

BE IT RESOLVED, that the following individual(s) be added to the Chili Fire Department active list effective February 13, 2017:

Brandon Statt

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RESOLUTION #115 RE: Chili Fire Department Remove from Active List

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that the following individual(s) be removed from the Chili Fire Department active list effective January 2017:

Bart Boyce 1/9/2017, Kyle Kelly 1/16/2017

RESOLUTION #116 RE: Chili Fire Department Exempt List

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that the following individual(s) be removed from the CFD active list and be added to the Chili Fire Department exempt list effective January 2017:

Laurie Schwenzer (King) 1/3/2017, John Sibbald 1/23/2017

RESOLUTION #117 RE: Recreation Department

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that Megan Termine is appointed Recreation Assistant and shall be paid an annual salary of \$28,162.00 (PG 24) effective February 27, 2017, pending background check, expenses to be paid by voucher as incurred.

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RESOLUTION #118 **RE: Lead Agency and SEQR Determination for Rezoning of 100, 350, 400 International Blvd, and 100, 300 Trade Court from LI (Limited Industrial) to LI with ADATOD (Airport Development Area Transportation Overlay District).**

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Planning Board at a public hearing meeting held on November 15, 2016 by a “no action” vote of three to two for the rezoning of properties located at 100, 350, 400 International Blvd and 100, 300 Trade Court from LI (Limited Industrial) to ADATOD (Airport Development Area Transportation Overlay District); and

WHEREAS, the Chili Town Board (hereinafter referred to as Town Board) on November 16, 2016 did declare its intent to be designated the lead agency in regards to SEQR; and

WHEREAS, a Public Hearing as required by its Zoning Local Law on the matter was duly held by the Town Board on the 18th of January 2017, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, the Town Board has reviewed Part 1 of the Long Environmental Assessment Form, prepared by Garth Winterkorn (Agent of the Applicant) for the Action pursuant to the New York Environmental Conservation Law, Article 8 (State Environmental Quality Review Act) and regulations promulgated pursuant thereto in 6 NYCRR Part 617 (SEQRA Regulations); and

WHEREAS, the Town Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board determined that said Action is also subject to review and approval by other involved agencies under the SEQR Regulations; and

WHEREAS, the Town Board determined that it is the most appropriate agency to insure the coordination of this Action and did provide written notifications to involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations; and

WHEREAS, the Town Clerk has submitted a memo to the Town Supervisor indicating that the Town did not receive any correspondences from the involved agencies indicating an objection to the Town Board acting as Lead Agency and has given consideration to any comments received from Involved and Interested Agencies; and

WHEREAS, the Town Board has reviewed and does hereby accept Part 2 of the Long Environmental Assessment Form; and

WHEREAS, the Town Board finds that the Full Environmental Assessment Form creates a reasoned elaboration of the impacts likely to result from the Town Board’s action to approve the proposed Action; and

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WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQR Regulations and the information contained in Parts 1, 2 and 3 of the Full Environmental Assessment Form; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby designate itself as the lead agency for the Action; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board has considered the list of potential environmental effects set listed in section 617.7, taken a hard look and engaged in a reasoned elaboration of the submitted information, analysis above and all supporting documentation and has concluded that the action will NOT result in a significant adverse environmental impact; and

BE IT FINALLY RESOLVED, that the Town Board does hereby make a Determination of Non-Significance on said Action and directs the Town Supervisor to complete, sign and date the Full Environmental Assessment Form and the Negative Declaration Form.

RESOLUTION #119 RE: Rezoning of 100, 350, 400 International Blvd, and 100, 300 Trade Court from LI (Limited Industrial) to LI with ADATOD (Airport Development Area Transportation Overlay District).

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Planning Board conducted a public hearing at its meeting held on November 15, 2016 for the rezoning of properties located at 100, 350, 400 International Blvd and 100, 300 Trade Court from LI (Limited Industrial) to ADATOD (Airport Development Area Transportation Overlay District), which concluded with a “No Action Vote” (3-2); and

WHEREAS, a Public Hearing as required by the Town’s Zoning Code on the matter was duly held by the Town Board on the 18th of January 2017, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, the Town Board, as lead agent for State Environmental Quality Review Act purposes, has reviewed the environmental record with regard to this application and determined it to be a Type 1 action and made a determination of no significant environment impact; and

WHEREAS, the proposed Zoning Map Amendment has been reviewed by the Monroe County Department of Planning and Development for comment; and

WHEREAS, the Town Board has carefully reviewed and considered the Town’s 2030 Comprehensive Plan and has determined that the rezoning of this parcel from LI to LI with ADATOD does not conflict with the stated goals of the 2030 Comprehensive Master Plan; and

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NOW, THEREFORE, BE IT RESOLVED, that the Official Zoning Map of the Town of Chili is amended such that the property located at 100 (Tax ID #147.01-1-8.4), 350 (Tax ID #147.01-1-8.61), 400 (Tax ID #147.01-1-8.311) International Blvd and 100 (Tax ID #147.01-1-8.11), 300 (Tax ID #147.01-18.12) Trade Court shall be removed from the Limited Industrial zoning district and placed within the Limited Industrial with ADATOD (Airport Development Area Transportation Overlay District) zoning district is hereby adopted; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to enter said rezoning into the minutes of this meeting and to give due notice of the adoption of this zoning map amendment according to law; and

BE IT FURTHER RESOLVED, that the Town Clerk shall direct that the Official Zoning Map of the Town of Chili be amended consistent with this resolution; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the property owner, his representatives, the Town Planning Board, Town Zoning Board of Appeals, Town Director of Public Works, Town Engineer, Town Attorney and Associate Town Attorney.

RESOLUTION #120 RE: February 1, 2017 Abstract – 2016 Payables

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, January 4, 2017 Resolution #1 authorized vouchers to be paid February 1, 2017, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 23877-23879, 23910, 23921-23922, 23942, 23955, 23967, 23971-23977, 23981 totaling \$60,434.50 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED, to note for the record vouchers 23877-23879, 23910, 23921-23922, 23942, 23955, 23967, 23971-23977, 23981 were paid from the following funds:

General Fund	\$	45,828.36
Library Fund		1,714.30
Street Lighting Districts		12,891.84
Total Abstract	\$	<u>60,434.50</u>

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RESOLUTION #121 RE: February 1, 2017 Abstract – 2017 Payables

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, January 4, 2017 Resolution #1 authorized vouchers to be paid February 1, 2017, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 23876, 23881-23882, 23886-23887, 23892-23894, 23898, 23908-23909, 23915, 23917-23920, 23923-23941, 23943-23954, 23956-23966, 23968-23970 totaling \$538,378.68 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED, to note for the record vouchers 23876, 23881-23882, 23886-23887, 23892-23894, 23898, 23908-23909, 23915, 23917-23920, 23923-23941, 23943-23954, 23956-23966, 23968-23970 were paid from the following funds:

General Fund	\$ 67,843.18
Workers' Comp Reserve	\$ 23,000.00
Highway Fund	\$ 295,154.94
Library Fund	\$ 4,075.56
Fire Protection Districts	<u>\$ 148,305.00</u>
Total Abstract	<u>\$ 538,378.68</u>

The next meeting of the Chili Town Board will be Wednesday, March 8, 2017 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.