

CHILI TOWN BOARD  
January 18, 2017

A meeting of the Chili Town Board was held on January 18, 2017 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

PRESENT: Councilman Brown, Councilman DeCory; Councilman Slattery, Councilwoman Sperr and Supervisor David Dunning.

ALSO PRESENT: Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; Virginia Ignatowski, Town Clerk; Daniel Knapp, Director of Finance; David Lindsay, Commissioner of Public Works/Highway Superintendent; Councilman Slattery, Deputy Town Supervisor; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Virginia Ignatowski.

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

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PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on January 18, 2017 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss rezoning of 100, 350, 400 International Boulevard and 100, 300 Trade Court from LI (Limited Industrial) to LI with ADATOD (Airport Development Area Transportation Overlay District).

Attendance as previously noted in the 1/18/17 Chili Town Board meeting minutes.

SUPERVISOR DUNNING: For the benefit of the audience, I have had several phone calls and some people stop in to see me and some emails in regard to this particular application so I wanted to make sure we put a copy of the actual existing code and what the code is when you had -- if the added layer was put onto this. I will open the Public Hearing.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

LINDA BEATTIE, 3 Loyalist Avenue

MS. BEATTIE: Good evening. My name is Linda Beattie. And I live at 3 Loyalist Avenue. And I have been a resident of Gates and Chili for most of my life. Currently my husband and I live on Loyalist and we have been there about 25 years and previous I lived on Westside Drive and then I lived in Gates.

Loyalist is directly across from the Trade Court property that is being considered for rezoning to ADATOD zoning, and at the November 6th -- 2016 Town Planning Board meeting, I was not able to attend, but I had a -- I had a conflict, but I have reviewed the zoning map and talked to the Town Clerk and read the Planning Board meetings and I, um, noticed that two of my neighbors have -- showed up at that meeting, Jim Brewer and Tom Platt. They were concerned at that point about the noise and the exhaust fumes and the traffic and the visual degradation that would occur by allowing this parcel of land directly across the street from us and the other parcels of the 47 -- approximately 47 acres that are intended to be rezoned, what that would do to these issues. And I am really looking at it in a broader sense and I would like to give you my -- my impressions and my ideas of why I do not feel that -- and I'm urging you not to approve the rezoning of the 45 acres that have been proposed, the 47 acres.

The existing zones of the Limited Industrial are definitely appropriate for the properties along Paul Road that front Paul Road. And we have been home already to small businesses along this stretch, and Lifetime Assistance, educational facilities and light manufacturing as is stated in the permitted uses. And they have maintained that, quote/unquote, in a park-like environment for this zoning, as we have seen with trees being planted -- and even though, um, one of the businesses had to cut down pine trees because they were expanding their parking lot, they replaced the pine trees and they're growing nicely. It has been home to a lot of small businesses that have become our neighbors because they have been good neighbors. I think the Board has done a good job about seek -- overseeing this area, too, that, um -- and these companies, their employees have normal work hours. They're there in the morning. They park and they leave in the evening. So it has been a nice area for us to live in. And -- as -- even as things change.

The Overlay District, the ADATOD zone will change the characteristic of our neighborhood. That is what concerns me the most. It focuses the change from Chili homes and subdivisions and families with small business neighbors and it becomes more a real Industrial area that is subject to large industrial warehouses and distribution centers, tractor-trailer repairs

and service stations, truck terminals. These are things that we have tolerated in small doses that -- some of the companies may have a tractor-trailer pull in and unload something. I know in one of the parcels that is farther back, um, off of Paul Road, there is Conway trucks are there and again, they have a lot of trucks, but it is farther off the main frontage on Paul Road.

But a blanket approval of the property that does and does not front Paul Road, um, becomes too -- it would be like a point of no turning back. It becomes too late to protect the integrity of our area because, as I see it, it would never go back to Limited Industrial.

This has implications for all of Chili, not just us that live -- I don't live directly on Paul Road. I live on Loyalist which is two houses down from the corner. But, um, already the traffic on Paul Road has -- is a problem. And if we have a business such as could be allowed in the Overlay District, um, we're going to need more services for water, sewer and electric. There will be -- and small road has already been identified as a minor arterial as Chili Avenue is in the 2030 Comprehensive Plan and transportation modes of November 2016. It will -- it will open us up to more noise and pollution. And again, traveling Paul Road is becoming increasingly more difficult because of some of the businesses that we have and just the traffic alone as new people move into the area. But the pollution and noise which I know my neighbors did address some, um, coming from semi trucks, um, the -- it is just tractor-trailer trucks is just going beyond what we would normally expect in this area if the overlay is approved.

The exhaust fumes, again, with these trucks running and, um, they -- they would seep into our homes, affect our children. They could limit our outdoor activities such as walking and running. Our tract is a beautiful tract to walk. My husband and I do it frequently and it's a nice mile and a half route. We also have -- we have a swimming pool, too, and we have invested in trees as a buffer for the noise along the fence. But again, we're adding another element to this that, um, this neighborhood, we -- we have a large neighborhood. And it's going to make all the industrial nature of it encroach onto the Chili residents. A distribution center that has been proposed for one of the properties will have more -- much more in and out kind of traffic. From large trucks. And it just seems to me unnecessary because there are other parcels that are actually closer to the airport and farther away from neighborhoods like ours and other sites that are available on Jet View Drive and along Beahan.

My other concern is for the wetlands. Um, we -- my husband and I feed the birds and enjoy seeing the different types of birds we have. We are responsible in the way we take care of our feeders. We also are in the fly way of herons. In fact, coming up Paul Road this morning, I saw a very large heron flying over which is a nice sight to see this time of year. Chili is also home to plants and animals because of the wetlands and we don't want to see that disturbed.

Safety again is another issue. Along this stretch of Paul Road from International Boulevard to Trade Court there are three major housing subdivisions that exit onto this section of road. Ironstone Drive, Loyalist Avenue, each having one point of exit from their subdivision onto Paul Road and, of course, Battle Green, too. On Loyalist we have 183 houses. If every house has two cars, which seems to be the case, that is over 350 cars just from our subdivision exiting not every day, not all at the same time, but many of them have to wait in line in order to exit onto Paul Road now the way the traffic is. We have six runs of school buses up and down Loyalist also. And some of the buses actually pick up on Paul Road. We have children in our neighborhood. I am the second house in. Between the house that is to my right and the house to my left and the house across the street, there are nine children, and again, I'm concerned about the safety with Paul Road, more traffic, more problems and the inherent problems we have with just regular drivers going over the speed limit. This is one thing that I think has to be looked at, too. And again, the changing characteristic of our neighborhood. We have -- we have Lifetime Assistance which has been a good neighbor, but they have a lot of vans and buses that go in and out. We have the Naval and Marine Reserve Center and they have -- they're generally very quiet except we have helicopters that go over our house because of that. And, of course, the airplanes which I think once you live here long enough, you get used to them and it's not a problem. Kids just love them anyhow.

So I think that maybe you don't get as much feedback on something like this as when Town people get the letter, it doesn't explain to them right then the difference between what the district is zoned at now and what it will be. But I think that that is really important to -- for people to know, but that's -- but that's what they have to do.

Mr. Brandt, I can -- I can understand he made an investment in land and I can appreciate that. He has a company, quote, "under contract" to purchase the Lot 201 on Trade Court, which is the one that fronts Paul Road. As some of the other ones do front Paul Road, too. But as we know, we make an investment, and sometimes it doesn't work out the way we expect.

Please look at the type of company that Mr. Brandt is planning for this piece of property. It -- Kamco is -- is -- has other sites in New England and if you look at some of the things that they're doing and some of the equipment that they hold, I wouldn't consider it, um, a type of building supply the way maybe Chase-Pitkin used to be, but something much larger than that.

The residents of our neighborhood look to the Planning Board and to the Town Board and other departments to protect our interests. Again, that includes our property values. I implore you please do not approve this rezoning, especially a blanket rezoning along Paul Road or the sites behind it because I feel it will change the character of our neighborhoods and bring additional problems to the Town of Chili. Thank you.

**SUPERVISOR DUNNING:** Just a point of clarity for everyone that wants to speak this evening, um, the Town Board in a rezoning application has to consider the greatest -- or the most intense use of that particular property under the zone we put in there. We don't rezone based on

a specific business or a specific application. That is not -- just so that that is understood. So when we vet these -- these rezonings, we look at the code and we go through and we understand what is the worse-case scenario here and that's what we base our decision on, is those worse-case scenarios.

Another point I think you had brought out that I would just like to clarify if I may, because I believe you said, and please correct me if I misunderstood, you're concerned about a -- massive warehouses and big factory-type buildings. There are dimensional requirements that -- the current dimensional requirements in the LI zone that is already the underlying zone still exist under the ADATOD. None of the dimensional requirements of a building change. Some of the things in -- it appears to me you have had least looked at the code and you understand.

MS. BEATTIE: Being able to dig down and find out the information when only you have either an address that you have to Google and it's sort of fuzzy and then have you lot numbers that are being referred to, so it -- it is sort of difficult to find exactly what -- what parcel you're looking at, and plus the code, I didn't have, you know -- I looked at the code like you show up here and I took some inferences from that, but yes, please correct me if I am wrong.

SUPERVISOR DUNNING: I'm not trying -- I just want to make -- make clear some of the things that -- what the difference is in an overlay. The underlying zone of Limited Industrial, we're not taking that away. That doesn't change. That exists today. Should this Board decide -- when we decide at a later meeting which direction we go in, if we decide to deny this application, then certainly the LI zone still exists. All of these things that I have shown up here, and if you have seen them in the code and I would be happy to scroll through this slowly for you, all these things are already permitted in that zone.

So when we talk about truck traffic and emissions all of the other things do bring that to this area and we -- we are also -- very concerned which is why we made, the Town made a significant investment in time and money as well as the County did and the State and property owners made a significant amount of investment in the Jet View Drive to get that truck traffic off Paul Road which has been extremely successful. I live at the other -- on -- a little closer down but I'm right not on Paul, but I'm affected by the Paul Road traffic also.

MS. BEATTIE: I just want to add something about that, the Jet View Drive. I -- I was -- the neighbors that were on Battle Green were against doing that because they were concerned about the noise in their backyards because the road would go behind there. I wrote a letter and I was in favor of Jet View because I realized it would take the trucks off of Paul Road and away from our children and send them where they want to go. So yes, I think that was an important improvement in that area to get that traffic out.

SUPERVISOR DUNNING: Excellent. Well, thank you very much.

COUNCILMAN SLATTERY: That was a long time coming. That -- that has been discussed for years.

SUPERVISOR DUNNING: 15 years.

COUNCILMAN SLATTERY: Longer.

SUPERVISOR DUNNING: 10, 15.

COUNCILMAN SLATTERY: Longer than that. I bet you close to 20.

SUPERVISOR DUNNING: Yeah?

Thank you very much.

TOM PLATT, 414 Paul Road

MR. PLATT: Good evening. I'm Tom Platt. I live at 414 Paul Road, right across the street from -- not -- where they are proposing change of the code. Um, one -- is there a height restriction difference between Light Industrial and Light Industrial with the airport --

SUPERVISOR DUNNING: No.

MR. PLATT: Same thing. Okay. Is there any difference between inside storage and outside storage?

SUPERVISOR DUNNING: I don't believe so, but that would be a question we would have to bring to Planning Board.

David (Lindsay), do you know?

DAVID LINDSAY: I don't believe there is a difference between inside or outside storage. It is usually a condition of approval no outside storage typically.

MR. PLATT: My fear is along with everything the young lady is saying here is, if you look by the old Bausch & Lomb building, that is getting to be a real eyesore there on -- I guess it would be the west side of the building in the back. They have tractor-trailers backed up in there to kind of hide it. They have all kinds of stuff stored outside. I just don't want to see that outside my front window.

SUPERVISOR DUNNING: They came to the Planning Board for that application and it was -- the Planning Board is typically -- I will say it is typically very good at vetting applications and understanding what is going in there and the impact it will have on the surrounding area. Generally they're very good about that.

Um, that particular application did come before the Planning Board where they did get approval for that particular type of outside storage.

MR. PLATT: I just don't care to see it outside my living room window.

SUPERVISOR DUNNING: That would be a Planning Board decision and is not something that is out and out permitted. It is not just something in the code that says yeah, you can do that. That is something the Planning Board would have to condition upon them should that application make the Planning Board.

MR. PLATT: That's my main concern. Light Industrial isn't bad. I guess I could live with that. I have lived at Paul Road on Paul Road for 50 years. I can handle a couple more years.

Truck traffic, there is no access from that piece of property over to Jet View Drive without coming out onto Paul Road.

SUPERVISOR DUNNING: That's correct.

MR. PLATT: That's going to be a problem. There has been several almost accidents right now with the buses and that coming out of Lifetime Assistance and cars -- other trucks that are coming out. They have had several almost accidents. I have had cars go out into my driveway, up into my yard. Just trucks don't -- they don't go good with that neighborhood. There is just too many of them. Jet View Drive has helped a whole lot. So that was my main concern, was the truck traffic.

SUPERVISOR DUNNING: Okay.

MR. PLATT: Thank you.

SUPERVISOR DUNNING: Very good. Thank you.

MR. TENNITY: Good evening.

PAUL TENNITY, 10 Loyalist Drive

MR. TENNITY: Paul Tennity, 10 Loyalist Drive. One of my questions is did we have a traffic study done?

SUPERVISOR DUNNING: That is something the Planning Board would request and will request. Yes.

MR. TENNITY: It's a known fact that an 18-wheeler truck is equal to 100 cars at 55 miles an hour. So what does that do to the wear and tear on our roads? What is it going to do to our water pressure? Mike, you should know this. Our sewage. Noise. Pollution, okay? And we also have no -- a noise ordinance and that's always broken every Saturday. With the way these trucks are being loaded and unloaded. My neighbors can vouch for that. I'm sure they have heard it. So these are some of the concerns that we do have. Especially traffic, um, study so we know, everybody knows. It will be in time that you're going to have to widen that road.

SUPERVISOR DUNNING: Traffic studies are typically a requirement of many of the applications that come before the Planning Board.

They will vet those. But to -- but also to your point, Paul (Tennity), I will say that 18-wheelers can still exist on the current zoning. The new zoning doesn't change the ability or further enhance the opportunities for 18-wheelers. Because any of these other businesses that would be allowed in the current Limited Industrial zoning that is there today would still have 18-wheelers, and this would be something that would be vetted by the Planning Board as to the amount and the impact around the surrounding area. So they would vet any application that came in, even under the current zone.

MR. TENNITY: Um, I do this all of the time, and no matter what we say, it's -- it's going to go through. Okay? How does this affect the Town of Chili regarding the tax -- the taxes for rezoning? Nothing. Zippo. If anything gains out of it, it would be the Town for the taxes. Am I correct?

SUPERVISOR DUNNING: Um, no, not necessarily. There is no -- there is no greater or lesser impact on the tax base.

MR. TENNITY: For the businesses that are coming in.

SUPERVISOR DUNNING: If a business comes in, certainly that does enhance our tax base. Absolutely. But that would be true if it was Limited Industrial, Limited Industrial with ADATOD, General Business or Residential. Anything that went in there would also increase our tax base. That's true.

But also it should be -- we need to consider the fact that some of these businesses that would locate there, whether it is LI or LI with ADATOD also bring jobs.

MR. TENNITY: That's correct.

SUPERVISOR DUNNING: Some much-needed jobs in our community. So there -- so there are always --

COUNCILMAN SLATTERY: Trickle-down effect.

SUPERVISOR DUNNING: There is certainly a benefit to businesses. And again, the current Limited Industrial zoning would permit a lot of things that would still bring jobs and tax base and everything that we desire.

MR. TENNITY: Well, unfortunately I don't have a crystal ball, but with our homes, that's our investment. This could, you know -- this could affect our -- the cost of our houses and our kids' houses and our kids' future and stuff. So, you know, these are some questions that should be addressed and should be documented that hopefully, um, as Mrs. BEATTIE states -- and I'm behind her 100 percent, because what she said is absolutely correct. Um, our future. It's our kids' future. It's the future of Chili. So yes, there is a lot of positives. There is a few negatives. And like I said, I attend this quite a bit, not just here in Chili but all over. It's going to go through. I guarantee that. But make it as comfortable as possible for the residents there.

SUPERVISOR DUNNING: Okay. And that -- when you talk about making it comfortable for the residents, that's unfortunately not what we're going to be able to do. When -- if and when an application comes before the Planning Board of any type, again, whether it's for General Business or Limited Industrial, whatever it may be, if you have a concern with a particular application and how that application is going to be developed, what type of business they're going -- we can't -- we can't tell a business to go away. If they fit in a zoning -- you know that. We can't tell them you go somewhere else because we don't like the business you will put in

there. We want something different. We can't do that.

MR. TENNITY: And we -- we have to accept that and we -- and we're not going -- we're not pushing them away. We're just voicing our opinion for, you know, if they have to put up some fences for some noise reduction or something, you know, please work with us.

SUPERVISOR DUNNING: And that's -- that is where I'm saying the Planning Board is the place for that part of the process. We trust our Planning Board immensely. Our Planning Board does a very, very good job --

MR. TENNITY: I agree.

SUPERVISOR DUNNING: -- in vetting applications. They -- they -- we trust them completely with -- with the code. They know the code. They know what they should and shouldn't be doing and they're -- there is the place to talk about, you know, the concerns about what the appearance is. What it looks like. How many -- what the truck traffic it going to be like. Or whatever else is going to happen there. That is the Planning Board process and that is the place you vet a particular application that creates the concerns that we have so far heard this evening. That is the place to vet those, because under the underlying zone currently, as I have already said, much of the things that so far we have heard already can happen. Under the underlying zone and we as a Board couldn't stop it.

MR. TENNITY: Dave (Dunning), how come we didn't have what was behind you on copy at the front door when we walked in tonight?

SUPERVISOR DUNNING: I -- you know what? I will -- that is my fault. I will take the blame for that. I thought about make something copies so that you could have it and then it just -- time got away from me today and I didn't have it done. Which is why I wanted to get this up there so at least the audience -- I'm assuming most people can read that from back there. Certainly if you would like a copy, I would be more than happy to get you a copy.

COUNCILWOMAN SPERR: We could get some printed.

SUPERVISOR DUNNING: It's also online, on the Town's website.

MR. TENNITY: Thank you very much.

SUPERVISOR DUNNING: Thank you.

MS. BEATTIE: Linda BEATTIE. I see you have a Limited Industrial up, but what I read and -- for the overlay, for the ADATOD overlay, includes things like motor vehicle repair stations for tractor-trailers, truck terminals, travel centers.

COUNCILMAN SLATTERY: Ma'am, right here on the bottom.

MS. BEATTIE: That's for the ADATOD.

COUNCILMAN SLATTERY: That's correct. It's highlighted in the blue.

MS. BEATTIE: But that's not under Limited Industrial, is it? Is -- are -- those things are not under Limited Industrial. They are under --

SUPERVISOR DUNNING: Those are added with ADATOD. The warehousing and distribution is only permitted by the ADATOD. Same with the truck terminals. There is already one back there.

MS. BEATTIE: Because it's zoned for the --

SUPERVISOR DUNNING: ADATOD.

MS. BEATTIE: ADATOD. That is the only parcel that is zoned. We go by there and see there has to be 20 semi-trailers back there or trailer trucks back there and they are -- because they are not fronting the parcels on Paul Road, they are in the back, and they exit only through, um, International Boulevard there and Jet View. They're not as obtrusive as what the properties that are on Paul Road, if they were to contain things like that, too. This -- that -- where the trucks are are the ones that are -- just that one little parcel, according to the zoning map, has been zoned ADATOD.

SUPERVISOR DUNNING: To be honest with you, I'm not 100 percent certain of all of the ADATOD. I think there are more ADATOD zones. I'm not sure if it is back in that particular area or not.

MR. BEATTIE: It is.

SUPERVISOR DUNNING: You have more information in front of you than I do now so I will say you're correct.

MR. BEATTIE: It appears when we looked at the map and I talked to Virginia (Ignatowski) a little bit to make sure I understand the color codes --

COUNCILWOMAN SPERR: There are other parcels.

SUPERVISOR DUNNING: I know there are other ADATOD parcels. I'm just not sure if they were right in that specific area.

MR. BEATTIE: To Linda (Beatty)'s point, it is just that these extra things --

SUPERVISOR DUNNING: Could you possibly get up and state your name for the record?

JACK BEATTIE

MR. BEATTIE: I'm Jack Beattie. And just -- it is these things that are highlighted here that are really our main concern. We see some things that don't seem to fit the area of a -- it's a Light Industrial across from a residential. That's fine. Like everyone has said, we have lived with it for years and they're good neighbors. PKG Packaging there, the manufacturing is a great neighbor to us. But when we see these six points here, it just worries us that we don't need that outside of our neighborhood, on the edge of our neighborhood if I'm phrasing that right. So that's -- that is the main concern, is -- let's not put this Overlay District where it is being proposed right now. Let's leave it as Light Industrial.

SUPERVISOR DUNNING: Thank you.

NATHAN RANSOM, 5 IRONSTONE DRIVE

MR. RANSOM: Hi. My name is Nathan Ransom and I live at 5 Ironstone. I just want to echo some of the sentiments expressed by my neighbors on Loyalist.

One of the big concerns is kind of the 24-hour nature that kind of comes to mind when you imagine truck terminals and warehousing and distribution facilities whereas Light Industrial is still kind of more of a -- while there are trucks, yes, it is kind of during the work day when many of the residents will be away from home anyway so it not much impact. While the facilities are there, yes, they're generally quiet when we're home. That's about all I have. That's kind of -- at least that is my part of the concerns that I come to share.

SUPERVISOR DUNNING: Okay. Thank you.

JIM BREWER, 1 Loyalist

MR. BREWER: Jim Brewer, 1 Loyalist. I wasn't really intending on saying anything tonight. But we did have some email communication back and forth. I appreciate the quick responses and so forth. I think you would agree what I was trying to express in those emails is very similar to what Linda (BEATTIE) has expressed too well and I guess my gut feel is still right there, and along those same lines, this description here, it just sounds like even though the LI does potentially bring in tractor-trailers and so forth, the description just sounds like it does bring in a lot more bigger scale, a lot more truck traffic and noise. This one parcel that is mentioned, we can hear the noise from that, even though it's a little bit of a distance. It was noticeable. Not a problem, not a -- much to complain about but noticeable. So you get one of those closer, and, yeah. I'm just trying to picture what the difference is overlay or not and it still comes up pretty negative when I start thinking of what may be coming with this overlay. Other than that, I guess you already had the emails. I don't -- she has already expressed it. I don't have anything much to add to that, I guess.

SUPERVISOR DUNNING: Thank you.

ROGER BRANDT, 366 White Spruce Boulevard

MR. BRANDT: Good evening. Roger Brandt, 366 White Spruce Boulevard, Rochester 14623.

Good evening. I am with Rochester's Cornerstone Group and I just wanted to state that we have -- we appreciate the opportunity to present the request for ADATOD for some of the lots which remain in our business park, Rochester International Commerce Center. The -- there have been some warehouse distribution facilities, truck facilities that have been approved without ADATOD. One of the reasons ADATOD came about is as a result of -- I believe it was CCX came in and they got approval. We had to get a Special Use Permit. They -- or conditional use permit. This is years ago. However, they had to come back every five years. Here is a company that is investing millions of dollars and they said, "Gee, we're not coming back every five years, so that was the genesis of the ADATOD District which came about many years ago. Through the efforts of the Town, they came up with something that gave some more flexible uses over and above Limited Industrial, what was in there.

There is an application as we have talked about which will be coming before the Planning Board perhaps for a small warehousing facility, 35,000 square feet and they distribute building materials. There is another application coming forward close for a food production facility that would bring up 75 to 80 jobs to Chili. A company located in Oregon is coming here because they have a large contract with a company here in Rochester.

So as you know, we're real estate developers. We're economic developers. We try to produce interest in particular properties, working together with the County and the Town and the State, and the purpose of our asking for more than just one lot at a time is we have situations like this food processor who says we're going to make a decision very soon. When we go, we got to go. We don't have a lot of time. What can you do for us. Well, perhaps there is a few extra lots we could ask for ADATOD zoning in addition to the one that is under contract right now. So this will help us be more competitive when it comes to trying to attract businesses to Chili. We appreciate the opportunity and we look forward to whatever is decided.

SUPERVISOR DUNNING: Roger (Brandt), while you're up there, there was a question in regards to the disturbance of wetlands and I know that Rochester's Cornerstone has done quite a bit in wetland mitigation in that area. Could you just briefly touch on that?

MR. BRANDT: Sure.

As you know, the wetlands in that area are not only United States Army Corps of Engineers wetlands but also DEC wetlands. Number of years ago, actually about 12 years ago, we created the first wetland mitigation bank in the State. It was an area that was surrounded by wetlands. Did some earth moving, brought the land elevation down and created the wetland mitigation bank which has just about completed its -- all of its sales. We have about a half acre left. That has helped companies to grow here in the upper Genesee River drainage basin. It is very well protected. We have a conservation easement on it, and we have to protect those wetlands as far as whether through drainage or dumping or what have you. So that is under annual monitoring that we have to do in accordance with the rules set out by the DEC and the Army Corps of Engineers.

SUPERVISOR DUNNING: And any application that might happen on any of these properties, would there be any wetland disturbance?

MR. BRANDT: No. They can't. Especially with DEC, they have to stay 100 foot away

from the wetlands at this point.

SUPERVISOR DUNNING: Thank you.

MR. BRANDT: Sure.

COUNCILMAN BROWN: I have a question for you, Roger (Brandt).

MR. BRANDT: Yes, Jordon (Brown)?

COUNCILMAN BROWN: As you're listening to these concerns being addressed, I'm just curious, were any ideas coming to mind on how to address some of these concerns should the approval happen or ideas you might be able to bring to the Planning Board that would address some of those concerns?

MR. BRANDT: Sure. I think that the -- Kamco is the name of the company that is on the table right now and will be coming to Planning Board if all goes well. Um, you know, I sit here thinking about it. Every single concern that was expressed by the residents and neighbors is very legitimate. We -- it's an inherent conflict when you have residential homes adjacent to businesses, industrial, office, whatever type of other use, other than single-family residential.

So the process usually vets out those issues and they try very hard through the Planning Board process. And I think I'm confident I didn't hear anything that was brought up that can't be addressed either through traffic investigations or the rules and regulations relative to civil engineering and drainage issues. Yes, there will be more noise. Yes, there will be more traffic. The question is, can the -- are the roads built to handle it. Again, it's an inherent conflict when you have -- across the street from a business park, you have got single-family homes. So I think that the Planning Board, here, I agree they do a very good job. They hold the developers and the owners to the rules and regulations which they have to follow and I think that a lot of these things will be vetted and discussed and I think knowing this company that I have met with many times, you know, whether through screening or changing their plans or what have you, I think that there is no -- nothing here that I don't think can't be overcome through the planning process, good planning process.

COUNCILMAN BROWN: Thank you.

COUNCILMAN SLATTERY: Roger (Brandt), if I could, I want to talk about a road a little bit. I know a little bit about it. It was a State Road before there was a road transfer with the County, Monroe County and now it's a County Road. The County did some work on it not too long ago. The State, when they built it, it was built to different standards, so that -- that -- that -- that is a positive.

When you look at the truck traffic coming down the road, one of the reasons why -- that we looked at making the connection through Jet View Drive is to get that traffic off of Paul Road. Because a lot of people farther to the west on Paul Road, complaining about the truck traffic and so forth, that is why, you know, we did what we did. There was a lot -- there was option as you mentioned earlier regarding people that live -- that back up to the Jet View Drive. You know, there was a little battle that went on for a number of years. I was part of the Airport Corridor Study group back in the late -- late '90s in regards to that. So I was familiar with what was talked about, what was proposed, what did get done, what didn't get done. So that is -- that is a good thing to take the traffic out there. And the road that is going through there, people were talking about vehicles, 18-wheelers backing up here and the backup. Well, that road is more of a cut-through and not so much -- the development could go in there and those trucks will be in there. So it is just they're driving through now, and it stops -- you don't have all that backing up, the back-up noise.

Um, where I live is on a main road and a gentleman built a house next to me, and then he decided to complain about the railroad tracks because he didn't want to listen to -- the gates go down, the train is required to beep their horn so many times. He wanted to see if we could pass a law against that. My wife finds the tracks, trains soothing. This gentleman did not. And I understand both points. It's there. How do we make it a good situation?

One concern I have is -- and I haven't seen the plans, I haven't -- I'm not on the Planning Board, but there is also a development in Union Meadows. The Town, I have been -- and Mr. Lindsay is tired of hearing from me and the Supervisor is tired of hearing from me, if there is sidewalks in there. I hope your contractor doesn't block the sidewalks like he is doing on Union Meadows and we been fighting to get this resolved for quite a few years. And it's very frustrating from a Town standpoint when I hear complaints from the residents in there. So I'm a resident. We're all residents of Chili. I respect you as a developer. I want these folks to walk away saying, "Hey, this gentleman said he was going to do what he did. He looked at this, he addressed it the best he can and we're moving forward."

Supervisor mentioned that we had developments that come in throughout the Town and you look at the jobs they bring, the people have to live somewhere, so they are purchasing a home maybe in Chili. They're going to visit our restaurants, gas stations, go to lunch and so forth. I know we would love to have more restaurants in Chili, so we have been looking to go do that for years. So it's just things that we have to think about. And I -- believe me. I feel for the people and their thoughts. It's very challenging when you're trying to develop something and you have folks that are uneasy about it and just trying to come together as one. So -- but I think you know the dialogue is good. You talk to the people, reach out to them. I think, you know, communication is very important. We work together and not just sit on a different side of the table and point fingers. I think dialogue is very important.

I thank you for your time coming tonight and I thank you for the folks showing up, as well. I also invite the folks, the audience, the residents -- Chili we go through different, you know, processes whether it's the Chili Center Master Plan or different committees that we're looking for

people to be on. We're a population about 29,000. We struggle to find people to get on our committees. It's the same people over and over that volunteer. And this is -- when something affects them, that's when they come out. We would like to hear from you more often than just when this issue is right by your house. So we welcome that. But I thank you again for your time and for yours, as well, Roger (Brandt).

MR. BRANDT: I would love to call you on that Union Meadows sidewalk issue. I haven't heard about it.

COUNCILMAN SLATTERY: Talk to Mr. Lindsay and Mr. Dunning. They are so fed up talking to me about it.

SUPERVISOR DUNNING: Thank you for the public service announcement.

COUNCILMAN SLATTERY: It is very frustrating.

MR. BRANDT: I will talk to you.

COUNCILWOMAN SPERR: I just want to make a comment. I appreciate everyone who stood up tonight and voiced their concerns. We do listen to what you say. It does matter. I just like to reinforce that, because a couple of you sort of gave us the impression it's a done deal, it's all going to happen and you think it's already a done deal before, but it's not. No decisions have been made. But I do like the fact that you came and expressed your concerns tonight. Roger (Brandt) is in the room and hopefully you will also do that at the Planning Board and Zoning Board meetings as they come up.

MR. TENNITY: I'll be back, Mary (Sperr) when you guys approve it. I guarantee it. I bet my house on it.

COUNCILWOMAN SPERR: I'm not saying that it won't.

MR. TENNITY: It's not a done deal. It is a done deal. It is just the way it works. I -- I go through this all of the time. I have been doing this for 38 years.

COUNCILWOMAN SPERR: Yeah, but we -- but we need to listen -- we have to have that feedback and that dialogue so that we -- when you express your concerns, it makes it, um, a bigger issue so that they listen and hopefully we can --

MR. TENNITY: My concern is the traffic study. Like Mike says, that road, we're going to have to widen it. You know who it is going to cost? It is going to cost us, the taxpayers, to widen that. And it's going to -- we're going to have to bring somebody in. We're going to bring them in. Make sure they buy American. Make sure we have a local -- local contractors that is going to do this work. Okay? Don't bring somebody from another state or something because it's cheaper. Keep the money in the community.

COUNCILMAN SLATTERY: Just, Paul (Tennity), from a traffic impact, when you look at the road -- I don't want to speak because I don't know the volumes that are going to be coming in and out of there, but one thing that could happen is a turning lane when coming into it or out of there, intersection improvements. Similar by Jet View, what the -- Randy Kuhl actually at the time brought in the money to help us with that, that improvement down there. So -- that was -- that was widening that, putting in the turning lane and traffic signal.

MR. TENNITY: Don't be afraid to put some sidewalks in.

COUNCILWOMAN SPERR: We're trying.

COUNCILMAN SLATTERY: Actually, Paul (Tennity), I'm glad you brought up that point. I know Councilwoman Sperr was very involved with that, David Lindsay, as well. The Town had --

MR. TENNITY: He is doing a great job by the way.

COUNCILMAN SLATTERY: Thank you. We agree. I agree. I don't want to speak for them.

But we had a sidewalk study done, and you're looking for people's input with that. Not only just, you know, certain areas in the town center but all around the Town. We actually have a great program now for that to -- that study that was done. So I invite people to look at that, as well.

MR. TENNITY: The gentleman, our developer who wants to bring it in, put some sidewalks on that side. You know what I mean.

SUPERVISOR DUNNING: We'll talk about that when it comes up.

COUNCILMAN BROWN: Is he writing it down?

MR. TENNITY: I hope so. I don't know what he is writing down, but -- (Laughter.)

But, you know, getting several of the permits at the same time, it's convenience for the developer, he doesn't have to go back to the table and he can push things along a lot faster and get things rolling. I understand this. It is just the rules. That's how it works.

But on the other hand, too, it -- we have to have a traffic study. It is very, very important. Okay? Now I can almost guarantee once that picks up, you will realize that the volume that you're going to bring, in you will have to beef that road up.

COUNCILWOMAN SPERR: I can tell you that they do come through Traffic Safety. I'm liaison for that Committee. They do come through Traffic Safety Committee and they look at all of the projects that come in. David Lindsay brings the plans to that meeting. So you have a liaison from the Fire Department. They look at all of the accesses and egress. They check the whole thing out. So you have independent residents that look at this whole plans and make recommendations to the Planning Board.

MR. TENNITY: Now, with that development, too, what will that do regarding our water pressure? You know, with the flow that you might want to bring in? It is going to be different. It really is. It is going to affect -- we have 183.

COUNCILMAN SLATTERY: Right. Monroe County Water Authority will be looking at

that, as well. Roger (Brandt) has dealt with them in the past. They will be on top of it, as well.

MR. TENNITY: Thank you very much.

COUNCILWOMAN SPERR: Thank you.

MS. BEATTIE: Maybe so I can understand the process a little better. Um, it was at the Planning Board, correct?

SUPERVISOR DUNNING: Yes.

MS. BEATTIE: I read the minutes from that Planning Board and they seemed to be a little undecided about how to make a final decision on that to hand off to this Board. You keep talking about when the Planning Board sees it. Isn't it that the Planning Board has seen it or does it go back?

SUPERVISOR DUNNING: No. Thank you. I was going to do this when we concluded, kind of share the process. That's fine. No, thank you.

In -- what -- what the process was, it goes to the Planning Board for a recommendation to this Board.

That is not -- that is not the vetting of a particular application. That is the vetting of the -- of the rezoning itself. The -- it was determined that the Planning Board decision was of no action. The Planning Board voted -- I believe it was 3 to 3, and because there wasn't a fifth -- or seventh member there at that time, um, that there was -- it's a tie vote so it is considered a no action which allows it to come back to this Board because ultimately it's our Board's decision whether or not we rezone. Our code requires that they go to the Planning Board prior to -- for a -- for a recommendation. So because there was no action, it comes to this Board. Now this Board we have -- we schedule our Public Hearing. As some of you know, we have -- this has been put off for an additional month based on the timing of things. We're holding the Public Hearing here this evening. At the conclusion of this, the Town Board then will vet what we heard this evening. We will listen to what people have said. We will make our decision and have a vote on this at the next Town Board meeting in February. We won't be voting on this tonight. At the conclusion of that, whatever the outcome of that happens to be, if the application fails, it -- at the Town Board with the -- the rezoning fails through the Town Board, it's done. It's over. If it passes, then the -- the developer, property owner are free to come to the Planning Board then to have the site plan evaluated at that point for its adequacy for the particular site and how it fits in with the Town zoning and the Town -- the Town criteria. So the Planning Board would then fully vet the application, the actual applicant, the building, the business, whoever it is that is going to come in, they will look at everything. The site plans and traffic and noise and there is a whole lot of things they look at at the Planning Board. If you haven't been to a meeting, they really are pretty interesting, right, Dorothy (Borgus)?

MS. BORGUS: Yes.

SUPERVISOR DUNNING: I welcome -- they're -- they are good meetings. They're very informative and really the best place to learn about what is happening in your Town as far as development is the Planning Board. Everything that is everything is really happening there. So certainly that would be the place. And I'm sure if this does pass, I'm sure most of you will be at Planning Board meeting also and I applaud that. I welcome you there, and I think that that is a great thing. We don't often have this type of audience at the Town Board so we do appreciate you taking the time to come here and share with us your opinions and thoughts about the actions that are before us. So thank you.

COUNCILMAN BROWN: Just want to point something out. Some of you may be interested. Some already know. I live on Loyalist and I work at Lifetime Assistance.

SUPERVISOR DUNNING: So with -- tomorrow.

MR. PLATT: One quick question. Is there any -- if Roger (Brandt), do they have any other parcel that they could use for -- using tractor-trailers and that further back off of Paul Road? Like I live 150, 200 feet from the parcel of land that they're talking about.

SUPERVISOR DUNNING: Go ahead, Roger (Brandt). I will let you.

MR. BRANDT: There are -- there is -- obviously there is other land. We have had lots of acres for two decades. This company feels that they would benefit from being -- having some visibility, so that is why they have selected that site. It's not a very intensive use. I will not get into it because we're just selling the land. They will build the building. But in Planning Board they will explain how much truck traffic. It's not -- it's not a big truck terminal that you will see a lot of traffic. There is 15 employees. And you will see some traffic but it's not real intensive. That is why they selected that site. They feel like they would like some visibility with Kamco on it.

MR. PLATT: I'll follow it down the road. Thank you.

MS. BEATTIE: But one of my fears is that if you decide to rezone this property, that faces, that fronts Paul Road and that company or another company does not --

COUNCILMAN SLATTERY: Survive.

MS. BEATTIE: -- survive, then that is zoned that way from then on. Can you reverse the zoning?

SUPERVISOR DUNNING: Zoning can always be changed at the applicant's request or the Town Board can actually do a rezoning at some point. I wouldn't necessarily call it a reversal. I would say yes, the Town Board can rezone property really at any time.

COUNCILMAN SLATTERY: Which we ---

SUPERVISOR DUNNING: Through the proper process we have done it. Recently we did it up on Buffalo Road. We took some property and rezoned it to General Business without an application or without -- it was a part of our Comprehensive Master Plan -- supported by

Comprehensive Master Plan which is why we went forward with the recommendations of that plan at that time. Yes. We can rezone to somewhat whenever whatever. There is some limitations in there, but we'll leave it at that.

MS. BEATTIE: Because I don't want to say the inevitability that some people believe in, but again, the frontage, if I didn't make the point, it's the frontage that is so important to me for the characteristic of -- of that neighborhood. And, um, yes, there are similarities between LI and the Overlay District on top of that, but I think there some really significant differences.

SUPERVISOR DUNNING: And -- and there are differences there. And I will -- as far as just briefly touching on aesthetics, we also have -- they will be required to do something very -- anybody that goes in there under any circumstance will be required to do a building that you actually would probably be proud to look at. You will notice if you look around the Town of Chili these days, you're not seeing cookie cutter buildings any more. We're insisting upon some very nice architecture. Architectural elements that make it pleasing to the eye so people across the street don't have to look at something that is a steel building with a square box building with steel siding and no windows. We want -- we want things to look nice. Especially around areas where there is single-family homes that you have to look at this every day.

MS. BEATTIE: Especially when there is other LI zones that are available.

COUNCILWOMAN SPERR: And what -- what David (Dunning) said is exactly correct. What the Planning Board is asking for, they're getting that. Walgreens. That was the start of it, the Walgreens on Chili Avenue. That was not a cookie cutter store. That was a total design of the building because we felt it was a gateway and entrance to our shopping district. But I also hear what you're saying about that section of blue that all of the ADATOD -- and right fully so, to be concerned about that. The majority of the -- what was on that list I think lend themselves better -- I don't think they're really interested in putting those in this spot. I think those were actually on that list because they lend themselves better to usage on Scottsville Road, better towards the airport area. I don't think we'll see some of the things in this area, but that is my gut feel about it. But I share you're concern about it.

MS. BEATTIE: That's what I don't want to see happen in our neighborhood. Because it's -- I look at it as a neighborhood next to industrial, Light Industrial. I don't look as it as industrial being -- on -- near the neighborhood. You know. If you have seen my thing.

COUNCILWOMAN SPERR: Yep. Totally get it.

The Public Hearing was closed at 7:59 p.m.

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At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speaker addressed the Town Board on various subjects: Dorothy Borgus. The Public Forum concluded at 8:06 p.m.

**MATTERS OF THE SUPERVISOR:**

New Matters:

SUPERVISOR DUNNING: Nothing additional at the moment.

Pending Matters:

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

SUPERVISOR DUNNING: We do have vacancy on the Board of Assessment Review for one permanent and one temporary member.

**MATTERS OF THE TOWN COUNCIL:**

SUPERVISOR DUNNING: Under Matters of the Counsel anything?

COUNCILWOMAN SPERR: Yes. I have one comment. Just want to make an announcement, the Gates-Chili Chamber of Commerce will be hosting both Supervisors from Chili, Mr. Dunning and Mark Assini from Gates, to present their State of the Towns. The event is a lunchtime, noon, luncheon event at the Diplomat on February 28th. So if anyone was interested in attending, anyone is welcome. You don't have to be a chamber member. I just think it is a -- wonderful they come tell us what is happening in the Town. Always well attended. At least 100 people that come every year. I thank the Supervisor for participating. That's all I have.

SUPERVISOR DUNNING: Always entertaining.

COUNCILWOMAN SPERR: Very entertaining.

COUNCILMAN SLATTERY: Yes, sir, if I could. This goes to Mr. Lindsay, Highway Superintendent. Um, nice community spotlight piece on ash trees that was in the newsletter.

Question I was asked was -- and I said I would bring it up, the ash trees, in regard to the inventory, I know there is some residents that have taken the time to remove ash trees on the property that have -- that were in the Town's right-of-way. They understand the process now after getting a -- the description of that definition of it. But they were curious about the inventory. Where are we? Have we started that for the Town roads, facilities and our parks, and then a replacement plan? Have we looked at that at all? If we haven't completed the inventory, we probably don't have a replacement plan. But they had some concerns in subdivisions, in the parks.

DAVID LINDSAY: Um, we finished up the inventory on the more rural roads and just recently completed the inventory for the subdivisions and we're working towards doing the inventory in the parks right now. We haven't collated all of the data yet, but once we finish the parks, we'll do that and probably look towards some sort of a replacement plan, if necessary.

COUNCILMAN SLATTERY: That would be nice. There has been some talk actually last few budget cycles regarding the parks and the trees in there and planting new ones so it gives them time before these ones actually totally die off that we have something growing.

DAVID LINDSAY: We're hoping to complete that over winter months, ash trees, especially around the perimeter of the parks.

COUNCILMAN SLATTERY: Thank you, sir.

The Town Board 12/14/16 and 12/30/16 meeting minutes were approved as submitted.

**REPORTS SUBMITTED:**

Advanced Payment of Claims – December 2016  
Building Department Report – December 2016, Y/E 2016 Report  
Dog Control Reports – December 2016, Y/E 2016 Report  
Recreation Center Report – December 2016  
Senior Center Report – December 2016  
Town Clerk Report – December 2016  
Traffic & Safety Minutes – 12/1/2016

**CORRESPONDENCE:**

1. Virginia Ignatowski, Town Clerk has received notification that Nicholas Holley, Highway Department is resigning; effective 1/31/2017.

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

SUPERVISOR DUNNING: On Resolution Number 22, this has been -- this -- I'm sorry, into. Did I say 22? I meant 92. Go with what I mean, not what I say.

COUNCILMAN SLATTERY: Well, Dorothy (Borgus) would show up next month and tell us -- (Laughter.)

SUPERVISOR DUNNING: Resolution 92.

COUNCILWOMAN SPERR: Something in the water.

SUPERVISOR DUNNING: This was initially a five-year PILOT agreement that turned into a ten-year PILOT agreement by extension of additional five years. That, I believe, expires at the end of this year, the end of 2017. I am already talking with University of Rochester about what we're going to be doing moving forward. The number that you see right now, the 30 -- the numbers -- it is \$33,000 that we get from the University of Rochester based on this particular PILOT agreement or incentive zoning agreement, I should say. And that has been consistent throughout the ten-year period in which we have had this agreement. Whether that will stay the same or not, we don't know until we really sit down with the University of Rochester and discuss moving forward. They choose to -- they want to keep their parking lot so I'm assuming they will come up with something that will work for both the Town and the University of Rochester.

**RESOLUTION #92 RE: University of Rochester Incentive Zoning**

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

**WHEREAS**, December 28, 2007, Resolution 346 accepted the Incentive Zoning Agreement with the University of Rochester and on December 5, 2012, Resolution 322 extended the agreement through 2017; and

**WHEREAS**, Section A(3) of the agreement states the incentive zoning funds are to be used accordance with the terms of the current section 115-89 Zoning Code; and

**NOW, THEREFORE, BE IT RESOLVED**, incentive zoning funds received in 2017 shall be deposited in the Sidewalk Reserve Fund.

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

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: Question on this one also as far as incentive zoning. This is different. This is a per-lot fee, I believe, \$500 per lot. It goes in for each lot that is -- as they're developed.

I'm sorry, Beaver Road. This is the Rose Hill Estates being developed on Beaver Road. Any other questions or comments?

**RESOLUTION #93 RE: Forest Creek Incentive Zoning**

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

**WHEREAS**, September 14, 2016, Resolution 229 accepted the Incentive Zoning Agreement with Forest Creek Equity Corp; and

**WHEREAS**, the agreement states the incentive zoning funds are to be used by the Town to benefit the community as a whole; and

**NOW, THEREFORE, BE IT RESOLVED**, incentive zoning funds received in 2017 shall be deposited in the Sidewalk Reserve Fund.

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

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: Question was how many mechanics we have.

COUNCILMAN SLATTERY: That's correct.

SUPERVISOR DUNNING: I believe we have two mechanics.

DAVID LINDSAY: We have two.

SUPERVISOR DUNNING: This was the Mechanics Foreman. So this would have been a third position in that.

COUNCILMAN SLATTERY: Mr. Lindsay has noticed under the -- David (Lindsay)'s -- or actually Ginny (Ignatowski) under -- she received notification of another person resigning. Where are we in regards to number of CDLs and drivers that we're down and how many openings do we currently have? I know there has been a turnover.

DAVID LINDSAY: And we were kind of waiting until we got into this new year with the new contract before we started trying to fill some of those positions so we weren't caught in between. We're probably looking for CDL drivers. I think we're down a total of three right now, three actual drivers or employees. I have a bunch of applications on my desk and we're doing interviews next week for those.

COUNCILMAN SLATTERY: So we're still able to provide the service?

DAVID LINDSAY: Absolutely. We still 14 plow drivers plus the Foreman rotating through as needed to keep up with the demand as needed.

COUNCILMAN SLATTERY: Thank you, sir.

**RESOLUTION #94 RE: Resignation**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Brown**

**BE IT RESOLVED** that the Town Board accepts the resignation of Cary Lawson, Mechanic Foreman effective December 29, 2016; and hereby authorizes Supervisor Dunning to execute any paperwork necessary relating to the resignation.

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

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: Did it say where the funds are coming for this? Coming out of contingency?

SUPERVISOR DUNNING: No. No. This is -- this is --

COUNCILWOMAN SPERR: I had two questions I was asking.

SUPERVISOR DUNNING: This was higher than anticipated, so it is coming out of money that we didn't --

COUNCILWOMAN SPERR: Got it.

**RESOLUTION #95 RE: Use of Workers Compensation Reserve**

**OFFERED BY: Councilman Brown**

**SECONDED BY: Councilman DeCory**

**WHEREAS**, the Workers Compensation Reserve was established in 2004 in accordance with General Municipal Law §6-j; and

**WHEREAS**, the 2017 Workers' Compensation liability was higher than anticipated during the budget process due to significant increases in rates issued by the State after the budgeting process was over and subsequently has caused a shortfall from what was budgeted; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend budget A9040.8000.0090 (Workers' Compensation – Reserve) by an increase of \$23,000.00; and

**BE IT FURTHER RESOLVED**, to amend budget SF9040.8000.0104 (Workers' Compensation – Chili Fire Protection) by an increase of \$4,000.00; and

**BE IT FURTHER RESOLVED**, to amend Chili Fire Protection District Fund appropriated fund balance to \$14,000 from the 2017 adopted budget amount of \$10,000.

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

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**RESOLUTION #96 RE: Amend Resolution #64 Association of Towns Annual Training Session**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilman Brown**

**WHEREAS**, Resolution #64 adopted on 1/4/2017 named the Delegate as David Dunning and

the Alternate will be TBD; and

**NOW, THEREFORE, BE IT RESOLVED**, that said resolution be amended to read that the Delegate will be David Dunning and the Alternate will be Mary Sperr for attending the Association of Towns Annual Training in NYC.

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

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**RESOLUTION #97 RE: Donation to the Senior Center Trust and Agency Account**

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

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

**WHEREAS**, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to accept a \$100 donation from John Zampatori to be deposited in the Senior Center Trust and Agency.

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

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

SUPERVISOR DUNNING: We didn't go wrong. We did do nothing wrong. We did everything right.

What happened with some of this -- or it was 101.

Okay. I will yell at you later. We'll move on.

**RESOLUTION #98 RE: 2017 Budget Amendments – Grants**

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

**WHEREAS**, on March 16, 2016 on Resolution #128 the Town Board accepted a grant from the Department of Agriculture and Markets through its Farmland Protection Implementation Grants program and the New York State Environmental Protection Fund which is to be used to assist the Town in amending our local laws to remove unreasonable restrictions affecting agricultural lands and farm operations, and work had not been completed as of December 31, 2016; and

**BE IT RESOLVED** to amend the 2017 revenue budget A3089 (State Aid - Other) by an increase of \$9,400.00; amend the 2017 expense budget A1410.4 (Town Clerk – General Code Updates) by an increase of \$9,400.00; and

**WHEREAS**, on October 12, 2016 on Resolution #243 the Town Board accepted a grant for Bullet Aid from New York State and Senator Ranzenhofer which is to be used for the purpose of purchasing new equipment for the library, and work had not been completed as of December 31, 2016; and

**BE IT RESOLVED** to amend the 2017 revenue budget L3840 (State Aid for Libraries) by an increase of \$11,000.00; amend the 2017 expense budget L7410.2 (Library – Equipment) by an increase of \$11,000.00.

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

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**RESOLUTION #99 RE: Purchase of Parks Mower**

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

**WHEREAS**, included in the approved 2017 budget is the purchase of one (1) new parks mower; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the purchase of a John Deere Signature Series X738 Tractor with a 48" deck from Lakeland Equipment Corp off the National Joint Powers Alliance (NJPA) bid, PC66663 at a cost not to exceed \$16,800 to be paid from the Account #A7110.2 (Parks Equipment).

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

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**RESOLUTION #100 RE: Letter of Credit Release #2 for Union Square Apartments**

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

**WHEREAS**, that per recommendation of the Commissioner of Public Works and Town Engineer, \$26,180.94 be released from the letter of credit #1105828807 with Canandaigua National Bank for Chili Townhomes/Union Square, leaving a balance of \$16,785.80; subject to engineering fees and street light bills to the Town.

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

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

**SUPERVISOR DUNNING:** 2017 budget amendments. Once again, we don't do anything wrong. We did everything right. We planned ahead.

What this resolution is is a result of during contract negotiations, we really didn't know where we were going to end up. This is a labor contract I'm referring to, where we're going to end up as far as wages and benefits and all of the other things. So we budgeted some extra money into the contingency account to -- because there was no other real account to put it in at that point in time. So during the budget process, we put it in a contingency account so we would have money to distribute. So after the Organizational Meeting when the Town Board approved everything as far as salaries and everything, we were able to then -- now we need to move the money to the appropriate personnel accounts to compensate for all of the things that happened during the Union contract.

Okay? Okay.

**COUNCILMAN BROWN:** Pretty impressive.

**SUPERVISOR DUNNING:** Good enough?

**DANIEL KNAPP:** I would like to also point out that a big chunk of this is just moving from one department to another and was not adding to the expense of the 85,000 that you had added up.

**SUPERVISOR DUNNING:** There is a person that held a title previously that due to Civil Service requirements, we had to change that title to more reflect what they do, so their actual salary is just being moved from one bucket to another bucket. It is coming out of the Town Clerk's bucket over to the Tax Receiver's bucket is what that turned out to be. Any other comments? Thank you, Mr. Knapp.

**RESOLUTION #101 RE: 2017 Budget Amendments**

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

**BE IT RESOLVED** to transfer \$2,324.00 from A1990.4 (Contingency) to A1110.1 (Justices - Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$47,279.00 from A1410.1 (Town Clerk - Personnel) to A1330.1 (Tax Collector - Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$4,111.00 from A1990.4 (Contingency) to A1355.1 (Assessor - Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$1,000.00 from A1990.4 (Contingency) to A1680.1 (Information Technology - Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$1,000.00 from A1990.4 (Contingency) to A3410.1 (Fire Marshall - Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$512.00 from A1990.4 (Contingency) to A3510.1 (Dog Control - Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$4,982.00 from A1990.4 (Contingency) to A3620.1 (Safety Inspection - Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$1,022.00 from A1990.4 (Contingency) to A5010.1 (Supt. Of Highway - Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$17,474.00 from A1990.4 (Contingency) to A7020.1 (Recreation Admin - Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$6,053.00 from A1990.4 (Contingency) to A7110.1 (Parks - Personnel).

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

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**RESOLUTION #102 RE: Purchase of 6 Wheel Dump Truck with Plow Package**

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

**WHEREAS**, included in the approved 2017 budget is the purchase of one (1) new 6-wheel dump truck and plow package replacement; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the purchase one (1) new Model 7400 SFA 4X2 dump truck replacement under Onondaga County Contract Bid, Bid Reference Number 7823, at a cost not to exceed \$185,000 be paid from Account #DA5130.20 (Machinery-Equipment).

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

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**RESOLUTION #103 RE: Purchase of 10 Wheel Dump with Plow Package**

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

**WHEREAS**, included in the approved 2017 budget is the purchase of one (1) new 10-wheel plow truck and plow package replacement; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the purchase one (1) new Model 7600 SBA 6X4 plow truck replacement with plow package for the Highway Department under Onondaga County Contract Bid, Bid Reference Number 7823, at a cost not to exceed \$242,000 to be paid from Account #DA5130.20 (Machinery-Equipment).

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

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**RESOLUTION #104 RE: January 18, 2017 Abstract – Fiscal Year 2016 Payables**

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

**BE IT RESOLVED** to pay vouchers 23731, 23736-23739, 23745, 23747-23748, 23752, 23754, 23760, 23762, 23764, 23766-23783, 23794-23797, 23804-23805, 23812, 23814-23816, 23818-23820, 23823, 23826, 23835, 23837, 23844, 23855-23860, 23862 totaling \$98,012.49 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 39,958.96
Highway Fund	9,757.97
Library Fund	75.20
Drainage District	45,445.42
Street Lighting Districts	<u>2,774.94</u>
Total Abstract	\$ 98,012.49

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

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**RESOLUTION #105 RE: January 18, 2017 Abstract – Fiscal Year 2017 Payables**

**OFFERED BY: Councilman Brown**

**SECONDED BY: Councilman DeCory**

**BE IT RESOLVED** to pay vouchers 23740-23744, 23746, 23749-23751, 23761, 23765, 23784-23786, 23798-23803, 23806-23808, 23813, 23817, 23821-23822, 23824-23825, 23827-23834, 23836, 23838-23843, 23845-23854, 23861, 23863-23871 totaling \$219,261.33 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 190,920.41
Highway Fund	27,969.90
Drainage District	<u>371.02</u>
Total Abstract	\$ 219,261.33

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

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

The meeting was adjourned at 8:19 p.m.