

## CHILI TOWN BOARD

March 7, 2007

A meeting of the Chili Town Board was held on March 7, 2007 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 Logel.

PRESENT: Councilwoman Ignatowski, Councilman Schulmerich, Councilman Slattery, Councilwoman Sperr and Supervisor Logel.

ALSO PRESENT: Richard Brongo, Town Clerk; Dawn Forte, Supervisor's Secretary; Dianne O'Meara, Director of Finance; Peter Spinelli, Labor Counsel; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Richard Brongo.

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

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Eight speakers addressed the Town Board on various subjects, and the Public Forum concluded at 7:37 p.m.

SUPERVISOR LOGEL: I received your letter regarding Traffic & Safety. I checked. Because today happened to be a luncheon honoring George Barnett, which I would like to mention at this moment for his work with Traffic & Safety, and I checked with Fred Trott, who is the Chairman of that Committee, and the traffic -- I want to clear up this misstatement that was just read, because the Traffic Safety Committee received copies of all maps and information on Walgreens initially before they ever went before the Planning Board on December 13th of '06. Mr. Trott proposed then that the traffic light be installed on Paul Road at that meeting that was held on 12/13/06, and all of this is part of the public record. It is all part of the public minutes, so the statements that were just read and read into the minutes are erroneous and not correct. They were supplied with all that information.

And as far as the meeting, I have investigated that, found out that Mr. Carr was on vacation. There was a lack of communication. Mr. Trott at the last second was held up at work and unable to leave. He had the key. And thank heavens for the fact that our Courts were accommodating and allowed them to meet there. It is not like it was a long way away. They just had to move up the hill to the -- to the other building.

Unfortunately, it was a misunderstanding, a miscommunication between a person on vacation and Mr. Trott who at the last second got held up at work. We -- we will work to rectify that in the future.

Traffic Safety liaison, would you like to comment any further?

COUNCILWOMAN SPERR: Yes. I was planning on that. Just because -- I appreciate everyone's interest here. I'm happy to see that residents wants to come to the Traffic Safety Committee meetings. Just because I happened to not be there this week, didn't mean that I would have been able to get anybody in that building either. I do not have a key to the highway garage. But in the future I think I will ask Joe (Carr) for one, because when I am there, if that were to happen again, that would prevent that.

There was probably some oversight on Brad Grover's part who stepped in and acted as Chair that night to put a sign up. They're probably all upset about the fact they couldn't get in. But I really think that the Committee should be applauded for not getting back in their cars and going home and to hold their meeting for the 30 minutes in which they were able to conduct some Town business.

And when I get to my report, and Councilmen's report, I will give an update what is happening on Traffic & Safety, but keep in mind that our positions as representatives from the Town Board as liaisons to all of the boards and committees we sit at are to provide back to the rest of the Board the information about that committee. So if something in our own lives comes up that prevents us from attending that meeting, our job is still to get that information back, and whether I was there or not -- I was unable to be there that night. I think most of you saw my picture in the paper the next day. I was attending a candle light vigil for my brother-in-law. It was a year ago that he was shot and killed in the bank robbery in Big Flats. My place was with my husband that night. So if anyone here has any

criticism about whether or not I should have been at the Traffic & Safety meeting, of which I'm in communication with the people and members of that committee to bring that information back-- if you have a criticism over that, then -- my place was with my family that night.

MR. BRIXNER: Absolutely.

COUNCILWOMAN SPERR: But I do appreciate the Supervisor for verifying the facts. We do look at those maps. They're always provided to us well in advance of the -- when it comes here to this Board, so we have seen the maps twice, and I -- as was mentioned, I did make a recommendation based on what the Traffic & Safety Committee has discussed at that meeting of their feelings on the driveway entrance and exits for that Walgreens proposal. So they are on top of that, and they welcome all input.

Ron (Pikuet), I will be more than happy to take your concerns if you want to give me any specifics that you would like about that unsafe road condition, as well as George Barnett who is a member of that committee who is standing in the back. We're more than happy to investigate any problem that anyone has on traffic and safety.

RON PIKUET: That is why I wanted to be at that meeting.

COUNCILWOMAN SPERR: You can feel free to write any comments and send them in or call anybody, too, ahead of time.

SUPERVISOR LOGEL: The only thing I will add on the subject of Traffic & Safety, for the public's information is Governor Spitzer's office came to talk to me about any issues here in Chili, and asked if there were any issues that they could be of help in moving from a back burner to a front burner, and I mentioned this -- I mentioned this at the last Town Board, and they are -- asked for a formal request, which I made to Spitzer's office to move to -- from the back burner to the front burner of the -- getting the traffic light and some control, widening -- not the traffic light, but fixing the road, the turning lanes at Union and Chili Avenue. We were fortunate in the fact that that representative sits in the back-up on -- on 490 herself many nights coming home from work and is totally aware of it. So I think that that is being acted on.

## **TOWN LIAISON REPORTS:**

### Conservation Report by Virginia Ignatowski

COUNCILWOMAN IGNATOWSKI: I notice we do not have on here the resolution that was tabled from the last meeting regarding the Welcome to Chili signs.

SUPERVISOR LOGEL: Joe (Carr) is not here. He is on vacation, and the information needs to get back -- has not been given to me that he is going to do that.

COUNCILWOMAN IGNATOWSKI: He had additional information?

SUPERVISOR LOGEL: Yes.

COUNCILWOMAN SPERR: So the next meeting, you think, Tracy (Logel)?

SUPERVISOR LOGEL: We'll have to get him -- it from him for two weeks from now.

COUNCILWOMAN IGNATOWSKI: Okay, because I know they were disappointed it did not get passed the last time.

SUPERVISOR LOGEL: The last thing he was looking into was how much it was going to cost, where it was going to come from and what the extent of the work was going to be. And that report has not come.

COUNCILWOMAN IGNATOWSKI: Because I know I have that break-out. I don't know if it was a complete break-out that was given to the Board or not, but I did have that as to what everything was going to be. You know, the sanding down, the complete repainting, um, that was all included in the -- in the estimate.

I'm sorry. I'm losing my voice here.

Um, they just discussed some of the Planning Board agenda. Most of the things were really not applicable to the Conservation Board.

The Kayex, the proposal for the -- over there, 1000 Millstead Way, they're just asking for a licensed landscape proposal on that, and a checklist.

I would also like to take this opportunity to say I have an outstanding attendance record. Mrs. Borgus would not know that because she doesn't come to the Conservation Board or Drainage Committee meetings, but I have to say, my attendance record is about as good, if not better, than most of the members of those committees, as liaison.

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### Drainage Report by Virginia Ignatowski

COUNCILWOMAN IGNATOWSKI: Drainage was very quiet. No guests came in. No drainage work has been able to be accomplished because of all of the snow. They have been plowing.

They did review the Planning Board agenda and spent some time going over -- they're looking to do a new form for when complaints come in. They're trying to upgrade it to have it so that homeowners can have a better understanding of how things are prioritized, so they spent some time discussing on what that form would ultimately look like.

### Historic Preservation Report by Mary Sperr

COUNCILWOMAN SPERR: There is not that much to report tonight except that I wanted -- I have talked to Dawn (Forte) about correcting the calendar for the month of March so there is no mistake. There will not be a normally scheduled meeting held on Monday, March 12th. That meeting is moved to March 20th where they're hosting a training session, and they have invited the Town Board, the Planning Board, the Zoning Board of Appeals and anyone on the Architectural Review Board and the Building Department to attend, and it relates to Historic Preservation amongst all categories within the Town. So that meeting will be held on March 20th, and -- it will be held in the library media room at 7. So if anyone has any further questions on that, you can feel free to ask me.

Letters were sent out by the Historic Preservation Board secretary, and we have asked them to make sure that all new members of the Zoning Board are given copies, and I also have recommendations and -- that were made by the Historic Preservation Board who had put a table up at the Chil-E Fest last year, and they kind of got a little bit interested in it and what they could see as a -- ideas that we could possibly use for future Chil-E Fests, and they have forwarded that to Mike Curley, and I have asked him to please consider their recommendations when they discuss their plans for future Chil-E Fests. That is it for Historic Preservation.

SUPERVISOR LOGEL: Thank you.

### Library Report by Michael Slattery

COUNCILMAN SLATTERY: Meeting was February 27th. That was a Tuesday. If Dorothy (Borgus) was mentioning me, that I wasn't at the meeting, that was my daughters' -- I have twin girls -- 15th birthdays, so that was a -- I know, Dorothy (Borgus). God forbid you attend a family function.

SUPERVISOR LOGEL: Careful.

COUNCILMAN SLATTERY: Well, Supervisor, I will make my comments and I will stand by them. I don't need your scolding. Thank you.

SUPERVISOR LOGEL: (Inaudible.)

COUNCILMAN SLATTERY: Yes, it is.

And I was with my daughters and family that night, so I wasn't at the library meeting. And there are other nights we have conflicts, as every Board members knows, that we're unable to attend meetings or as liaisons and there are a number of meetings that we're participating on on behalf of the Town, as well, so. That's all I have.

### Recreation Report by Tracy Logel

SUPERVISOR LOGEL: Parks and recreation, I missed because I was here for a workshop. But the Parks and Recreation Committee met and I was filled in by Mr. Curley.

Basically they had a very good session, and all of the Committee members were working with him on Chil-E Fest and throwing around suggestions and planning and putting out ideas on things that can happen this summer for the Chil-E Fest.

And talking about the upcoming Easter events that they're going to have for the students, for children, and basically, we're moving ahead.

Anybody that has comments or input for the Chil-E Fest, they're interested in hearing it, and ideas that were kicked around, and I think everybody got a report. Did you get the minutes of -- of what Mr. Curley is recommending? So...

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### Traffic & Safety Report by Mary Sperr

COUNCILWOMAN SPERR: I did really have my report for Traffic & Safety. Now it is the appropriate time. You know the signs we have all talked about, the brightly colored large signs that we put up, which we really felt they have been working, we have been following closely. A "Please slow down." "Are you speeding?" Well, they're so popular, that the temporary sign that we put up that said, "Please slow down," was stolen. I thought would you get a kick out of that. It was stolen when we put it up near the Cornflower neighborhood, so if anybody has seen that sign --

COUNCILMAN SCHULMERICH: It's very visible from what I understand.

COUNCILWOMAN SPERR: They're neon pink and green. If anyone sees that sign, please -- I'm sure Joe Carr would love to have it back.

But the Committee also reviewed plans for the Hess station that is being presented to the Planning Board at Buffalo and Union Streets, and that is well on its way, but they did review the plans, traffic for that.

And just so you know, the Traffic & Safety Committee reviews all written requests and verbal requests for problems to be addressed.

One of the problems that was addressed was the crossing guard that was standing out at Our Father's House in the road and everyone was concerned for his safety and they have looked into handling that.

There's been difficulty that one of our members noticed traveling down Scottsville Road because they couldn't see the sign for Brook Road and that is being looked into by Joe Carr. To see if it could be more readily identified.

The Welcome to Chili signs which are not the wooden ones that are painted and you can see from 490, the ones that -- the green and white signs you see on various roads that you drive in and out of town were also addressed and new signs for that intersection just past Ballantyne Road Bridge, once that is completed, that has been put up and larger signs are being discussed for that. So they do take all recommend -- all issues with Traffic & Safety pretty seriously in Town.

Just as a side note to something that the Supervisor mentioned, um, that the Governor's office was here. I spent the day in Albany. Joe Carr was on vacation this week and unable to represent the Town, but I did on behalf the Town spend time today in Legislators' Offices in the Capital Building and Legislative Office Building lobbying for increased transportation funds.

The County Highway Superintendent's Association and the Town Highway Superintendents get together once a year to go down to lobby in the State Office Building. They are negotiating for the budget right now, and there were over 400 members of those two groups in attendance. They are asking for \$25 million over the next three years to supplement what they already get.

They're asking for Marsuicelli funds, which most of you don't know what they are, but they're funds provided to the localities for -- to hire the engineering companies to do the planning and the studies that they need, and they usually amount to about 20 percent, and it is hard for some of the communities to be able to take advantage of the federal funds without the help of those Marsuicelli funds. So they are really lobbying hard to get money to at least be able to maintain the roads.

And the fact that this recent cold weather spell hit when the ground was not frozen has caused more damage to the roads than you will normally see. So you will see some heaving. If you notice in our sidewalks out front as you come in tonight, they're posted as a caution to -- to watch your step, that they are now uneven and have heaved because of the frost. That's all I have. Thank you.

### Planning & Zoning Boards Report by Dennis Schulmerich

COUNCILMAN SCHULMERICH: Zoning met on February 27th. They had three sign variances that were applied for. One was denied as a second freestanding sign of a business. Two were approved, and one of them which was approved had significant discussion around it, the Walgreens in North Chili. Signs were essentially redesigned at that meeting quite significantly quite significantly, and approved with six conditions, and one of the conditions were no electronic reader boards. A lot of discussion on that.

There was one lot line -- one lot line variance approved and one conditional use renewal approved.

Planning Board, under Old Business, Metalico has had an application on the table. They asked it

be tabled again, and we see a resolution on the agenda tonight for hiring of an environmental consultant to support the evaluation of SEQR that will be reimbursed by Metalico if, in fact, that resolution passes tonight.

There were four conditional use permits and four preliminary site plan approvals under public hearings all related to cell towers. They were all approved.

And three final site plan approvals under informal. One related to the Amerada Hess in North Chili. One at Wegmans central kitchen and one at Pride Mark in North Chili.

#### **MATTERS OF THE SUPERVISOR:**

1. Supervisor Logel has received the appraisal of 3235 Chili Avenue location from Pogel, Schubmehl & Ferrara, LLC.

SUPERVISOR LOGEL: Okay. Thank you. Under Matters of the Supervisor, I just wanted to bring up the passing of Mary Bressler, who was our morning receptionist. It is something that was in the – posted in the paper and some of you may have met her when you stopped in the Town Hall over the last year that she was with us.

COUNCILMAN SLATTERY: Matters of the Supervisor, I have a couple of issues. First off, is there a written policy for the new overhead?

SUPERVISOR LOGEL: There is no written policy. The only reason I answered that way, we have to really consider how far you want to open it. When it was bought, it was bought by zoning and planning for developers and businesses that have come before the Zoning and Planning Board and came out of their budget for that purpose. Was never, ever talked about being something that you want to start for public forum and allow anybody to just come in and start using. That is something we'll have to talk about and look at.

COUNCILWOMAN SPERR: I wouldn't have had any problem if they wanted to use it.

SUPERVISOR LOGEL: The only thing we're concerned about is the consent, that you start a precedent. If you let this one do it, then you have to let that one, and before you know it, you will have everybody doing five-minute Power Points. We need to talk about it and develop a policy on what the presentation would be.

COUNCILMAN SLATTERY: I would think that that would be -- that's something that would have been in place or is being worked on now. You mention public forum and so forth.

SUPERVISOR LOGEL: This is the first time it has come up.

COUNCILMAN SLATTERY: Right. I mean, we have public forums at every Town Board meeting and also from the standpoint -- this is how it was sold to us, it would be for Town Board meetings, as well.

Second matter that I have is a Special Town Board meeting was called on February 26th, a Monday. The notification that I received, I wasn't asked my availability at all. I received a letter in the mail stating that it was going to be held on the 26th. This is once again -- has occurred that a meeting, Special Town Board meeting has been scheduled without checking my availability. It was scheduled for 8 o'clock in the morning. Unfortunately, I start work at 7. I cannot attend. And if other peoples' schedules allow it, that's fine, but, you know, I would think that there would be better communication out of your office with the Board members to find out our availability. I understand the urgency of having that meeting, but the courtesy of communication, how -- you did inform me of the vacancies that were coming. But you did not state that there -- you were going to try to have a special meeting, so it was -- it is disappointing when we hear open government, and for a Board member to get a letter in the mail stating there is going to be a special meeting, I find unacceptable.

SUPERVISOR LOGEL: Well, you received a phone call. My secretary was instructed, and Dawn (Forte) did make phone calls to every single person. The time I talked to you was in New York City.

COUNCILMAN SLATTERY: That's correct.

SUPERVISOR LOGEL: And at that time we had not decided to have the Town Board meeting.

After consulting with what we need do, finding out there would only be four people there, I asked Dawn (Forte) to contact all of the Town Board members to schedule the meeting, and then Mr. Brongo

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sent out the letter legally to everybody. And that's exactly how it came through.

COUNCILMAN SLATTERY: Not exactly. The Board members in New York were -- I got it -- I have evidence of e-mails of what was taking place, so I don't think that we really want to go there. But in regards to what I just want to bring the point up, that -- I think that you need to reach out a little bit better than what we're doing now.

That's all I have.

COUNCILWOMAN IGNATOWSKI: Supervisor, I know that the appraisal, I have looked through it and I know that in the appraisal it says several times that we are not allowed to disclose the amount of the appraisal or anything unless we have written approval to do so. Will you be seeking that, because I think at some point in time the public is going to want to know what the appraisal was.

SUPERVISOR LOGEL: When Mr. Caruso -- I thought when Mr. Caruso finishes his report, which I understand he is nearing the completion, putting it all together -- the appraisal -- are you talking for the other Town Hall property?

COUNCILWOMAN IGNATOWSKI: Yes. For the --

SUPERVISOR LOGEL: Right. Right.

COUNCILWOMAN IGNATOWSKI: It just came in, and, you know, it has in there kind of what I would consider like a gag order, we're not allowed to --

SUPERVISOR LOGEL: I think it is because of the value of the land, and you extend it out there, and that is what someone bids or something -- I don't know -- I don't know legally why. We would have to go and ask that.

COUNCILWOMAN IGNATOWSKI: I imagine at some point in time that needs to be out there.

SUPERVISOR LOGEL: Yes. Eventually. I didn't put the gag order on that. It came from them.

COUNCILWOMAN IGNATOWSKI: I would like to say, I did go on on line at my house to take a look at the tape of the meeting. The audio is terrible. I couldn't hear anything. And I see that there is a blurb on the website from Chris (Levey) saying that the -- there is going to be a dramatic improvement in the quality of the digital.

Do you know is that inclusive of audio, because I mean, I had mine turned up all of the way and I couldn't hear.

SUPERVISOR LOGEL: We checked it because of the complaint, and we checked it in -- on Dawn (Forte)'s computer, and it was fine. We could hear everything that was said on that computer. The thing is that, either way, they will be able to watch it on computer or they can watch it on television. Cable Time Warner right now is in process of setting up their government -- and -- and providing it. It's being shown now on Channel 12 anyway, and it's also going to be available through Cable Time Warner. They can watch it wherever they want.

COUNCILWOMAN IGNATOWSKI: Another thing about franchise fees. One of the sessions that I attended in New York City, they were saying that they are -- there is a possibility that the States could be looking at taking over the franchise fees and -- kind of like how the court -- the court fees, so they are highly recommending the Town Boards come up with resolutions protesting that. Just like how we did with the court fees, saying no, we want that to be within a town, the franchise. Because that is a tremendous amount of money I do not want to see this Town losing. So I don't know, Rich (Stowe).

SUPERVISOR LOGEL: Draft a resolution.

COUNCILWOMAN IGNATOWSKI: Some sort of a resolution saying that we do not want that to become a State franchise and to retain that local.

RICHARD STOWE: Share with me the material you picked up there and I will draft up something.

COUNCILWOMAN SPERR: Several of us Board members were in that session and we have written documentation from it. We were advised by people who have been through that that we should do this.

COUNCILMAN SLATTERY: I would suggest that the Supervisor bring that up at the Supervisors' meeting.

SUPERVISOR LOGEL: We could all sign it. The Supervisors' Association will also --

COUNCILMAN SLATTERY: If they're aware of it.

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SUPERVISOR LOGEL: I will take it to them.

COUNCILMAN SCHULMERICH: Could we back up to the sound for a minute?

We have what I would envision to be a fairly advanced mixer back there, and if we don't, it has to have jacks associated with it. Should allow mixers. It is not clear to me why we can't get the right sound engineer in place to insure that whatever is being broadcast over the speakers here is being directly driven to the recorder. I want to say VCR. I'm not sure if it has a DVD recorder or VCR recorder. Whichever it is, we should be able to get direct sound to the camera as opposed to the microphone on the camera trying to pick up what we are saying.

COUNCILWOMAN SPERR: I do believe the microphones were not turned on Monday morning for that meeting. I think that is why I also could not hear, and I had my computer turned all of the way up, and the sound on the screen turned all of the way up. I exhibited some similar problems that Mrs. Brixner has talked about. I have heard several complaints, so we are looking into it, just so you know. I appreciate you coming forth with your situation.

SUPERVISOR LOGEL: Chris (Levey) is working with it on a regular basis. We'll talk to Chris (Levey) about this, the sound, and how that can be resolved.

SUPERVISOR LOGEL: It may not have been on that morning.

COUNCILWOMAN SPERR: If EduCable has requested they put a microphone on the dias, is there some reason why you're not allowing them --

SUPERVISOR LOGEL: I just don't want another piece of equipment setting up here. They have good sound anyway. They're not having a problem.

COUNCILWOMAN SPERR: That's not true.

MS. BRIXNER: That is not true.

SUPERVISOR LOGEL: I don't want the microphone up here. It is my privilege.

MS. BRIXNER: I understand you don't.

SUPERVISOR LOGEL: I have this one, and it's plenty. You can hear this one fine.

COUNCILMAN SCHULMERICH: Question on meeting minutes. I don't know if you want to vote on it or you want the question. I'm sorry. I'm at K. You're at J. I pre-empted you by one letter.

The 2/1/07 Town Board Workshop Minutes were approved as modified.

The 2/7/07 Town Board Minutes were approved as modified.

COUNCILMAN SCHULMERICH: I have a question on reports submitted. If, in fact, we -- we do see lags of four to six and eight weeks for some of these meeting notes, is it possible for us to send a memo to the Chairs asking that they get drafts of their meeting notes into us within two to three weeks of the meetings following it up with fines if they have to.

SUPERVISOR LOGEL: Are you calling, too? Aren't you calling when they're so late?

DAWN FORTE: I haven't been lately, but I can make phone calls to them and do more memos.

COUNCILMAN SLATTERY: The Board has brought this up in the past, when the community citizens have brought this to our attention. So the Board did ask for something to be done, and it is being -- supposedly being taken care of through the Supervisor's Office.

SUPERVISOR LOGEL: We can't lead a horse to water and make it drink. We have to have these people to type them up.

COUNCILWOMAN SPERR: I would like to have a clarification, because I thought that most of the boards and committees have been doing quite a good job since we made that request. So my question is, when I see Zoning Board minutes on here, December 19th of '06, I mean, they're -- Sandy (Hewlett) brings those in. Is it possible that it is on here because it was just left off and not placed on one of our -- one of our agendas?

DAWN FORTE: That has happened.

COUNCILWOMAN SPERR: You had them in. That is one.

And the other one is, do you put reports submitted when they are submitted in draft form and aren't officially --

RICHARD BRONGO: No.

COUNCILWOMAN SPERR: So if there is a reason why the -- the final minutes weren't approved, there may be a lag, but it doesn't mean they weren't submitted in a proper manner, in

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timely fashion, because I have seen that happen on Historic Preservation, and they are brought in right after. Traffic & Safety is in immediately.

COUNCILMAN SCHULMERICH: Would he --

SUPERVISOR LOGEL: The problem is they don't go on until they are approved, and they don't get approved until the next month after that.

COUNCILWOMAN SPERR: Which is fine, because there are draft minutes in the Town Hall as requested by us and if the committee has some problem with them and they revise them, then they're approved and they come in.

COUNCILWOMAN IGNATOWSKI: I have had many conversations. I will call Dawn (Forte) all the time to make sure she gets them. I know both the ones I'm liaison to, they send their drafts in. But there will be some times there is corrections and stuff so that does not go out to the public. The finals come in.

We just had Drainage was approved last night, so they just came in today, so they're not on the agenda for tonight, but they're there. They just got approved last night.

COUNCILMAN SCHULMERICH: Is it conceivable, if it is helpful -- not looking to create more work, but if it is helpful, is it reasonable for us to have a report submitted which basically indicates the final is received, which we see here, but also reports received which calls out the drafts that we have in our possession, as well? So that we -- so we recognize that we have got drafts that are in lull in conjunction with reports that are final? Because if -- if you have both of those listed, side by side, you will know where you stand in terms of the drafts that have not yet been approved as final. I don't know if that creates unnecessary work and it is helpful,

or --

SUPERVISOR LOGEL: Drafts through you --

RICHARD BRONGO: Well, usually sometimes they're submitted at your office and they come over to me.

SUPERVISOR LOGEL: My office to your office, or your office to my office.

RICHARD BRONGO: Whichever way they -- today Drainage came in and we submitted to your office.

COUNCILMAN SCHULMERICH: If it adds no value, no reason to do it. But if it adds value --

SUPERVISOR LOGEL: We can certainly add --

COUNCILWOMAN SPERR: I have had no problem --

SUPERVISOR LOGEL: We can add drafts without a problem.

COUNCILWOMAN SPERR: I have had no any problem with this. I think we do a fairly good job.

COUNCILWOMAN IGNATOWSKI: I just caution that I think that the committees don't want to have available to the public their draft only because sometimes they do -- there is errors in them, and they want them corrected so that someone doesn't take something that is a draft and if there -- if there is an error in it and run with it and think this is something that was approved.

COUNCILMAN SCHULMERICH: I'm not implying that the drafts become publicly available. More that we understand that the draft notes exist as opposed to seeing a hole and you don't know whether there is a draft out there that is waiting approval or if they just happened to exist. Again, I'm not trying to invoke unnecessary bureaucracy. If there is not a value to it, say so.

RICHARD BRONGO: If a draft is submitted to me, it is available to the public.

COUNCILWOMAN SPERR: It is noted that it is a draft. They have been requested that everyone note their minutes are the draft until they are approved.

COUNCILMAN SLATTERY: I guess I would ask, we have the special Town Board meeting on the 26th. I don't see that on the agenda. On the -- on the reports submitted.

RICHARD BRONGO: The minutes are done for the 26th because I did the minutes for that one. That was the special Town Board meeting.

COUNCILMAN SLATTERY: I understand that. So that wouldn't be on here, as well.

RICHARD BRONGO: It should be.

Unless it was submitted but -- I'm assuming -- not distributed.

COUNCILMAN SLATTERY: Only thing I got, I got the copy of the agenda.

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SUPERVISOR LOGEL: You're looking at Dick (Brongo).

DAWN FORTE: You typed them up, right?

RICHARD BRONGO: Yes. They're done.

SUPERVISOR LOGEL: They just got to come from your office to our office.

RICHARD BRONGO: They were done the next day.

COUNCILMAN SCHULMERICH: So it sounds like the work is getting done in an efficient manner. We just have a reporting or recording challenge. That -- is that a fair --

SUPERVISOR LOGEL: What you have is a problem what is shown on here is the approved, and it is the time lapse with -- they're finding fault between the time the draft goes to us, to -- to they're finally approved.

COUNCILMAN SCHULMERICH: When the committees have their meetings and when we have our meetings.

COUNCILWOMAN SPERR: Time lag.

SUPERVISOR LOGEL: That's it.

COUNCILMAN SCHULMERICH: We'll continue thinking about that.

COUNCILMAN SLATTERY: Richard (Stowe), Counsel, is there -- there is a requirement that the meeting minutes have to be submitted in a period of time, correct?

RICHARD STOWE: Not final.

COUNCILMAN SLATTERY: Right.

RICHARD STOWE: Correct.

SUPERVISOR LOGEL: What is the -- what is the --

RICHARD STOWE: Within a reasonable time. I think the State Law suggests a two-week period after the meeting.

**REPORTS SUBMITTED:**

Conservation Board Minutes – 1/2/07

Drainage Committee – 1/2/07

Examining Board of Plumbers – 12/4/06

Planning Board Minutes – 1/9/07

Recreation Advisory Committee Minutes – 1/10/07

Town Clerk Report – February 2007

Traffic & Safety Committee Minutes – 1/4/07

Zoning Board Minutes – 12/19/06

**CORRESPONDENCE:**

1. Mr. Brongo has received formal notification from Nightlife Promotions, LLC, 1590 Scottsville Road, Rochester, New York 14623 that they have made application for a O-P Liquor License with the State Liquor Authority.
2. Mr. Brongo has received formal notification from AMF Bowling Centers, Inc., for AMF Olympic Lanes, 1350 Scottsville Road, Rochester, New York 14624 that they have made application for renewal of their Liquor Licenses with the State Liquor Authority.
3. Mr. Brongo has received a resignation letter from James Wiesner of the Recreation Advisory Committee.
4. Mr. Brongo has received a resignation letter from Dan Melville of the Zoning Board of Appeals.
5. Mr. Brongo has received a resignation letter from Beverly Griebel, Chair of the Zoning Board of Appeals

COUNCILWOMAN IGNATOWSKI: Supervisor, when will we be having conversation as to what we'll be doing about filling the Rec Advisory and Zoning Board --

SUPERVISOR LOGEL: We need to do some interviews, don't we? We need to do that.

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COUNCILWOMAN IGNATOWSKI: What is your --  
SUPERVISOR LOGEL: We need to set up some time.

6. The Town received correspondence from Crown Castle advising that they have merged with Global Signal, Inc. effective as of 1/12/2007.

**OLD BUSINESS:**

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TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

SUPERVISOR LOGEL: Okay. This is the first one.  
Discussion?

RICHARD STOWE: You got to remove it from the table before you have the discussion.

COUNCILWOMAN IGNATOWSKI: Isn't that what we just did?

COUNCILMAN SCHULMERICH: We didn't vote.

RICHARD STOWE: You're part way there.

The Board voted unanimously in favor to remove the resolution from the table. (see below)

SUPERVISOR LOGEL: On Resolution 111.

COUNCILWOMAN SPERR: I have a few comments I would like to make about this. I appreciate that everyone --

SUPERVISOR LOGEL: You need to move it, I think.

COUNCILWOMAN SPERR: We have to move it again.

SUPERVISOR LOGEL: We have to move to discuss it.

COUNCILWOMAN SPERR: I'm sorry. I'm listening to you and formulating my thoughts. My apologies. I move to hear the resolution.

RICHARD STOWE: I'm frantically looking through the resolution. Was this moved and seconded at the December 7th meeting, or was it just moved to table?

COUNCILWOMAN IGNATOWSKI: It would -- not December. It would have -- the last meeting. February 7th.

RICHARD STOWE: There was only a motion to table it.

COUNCILMAN SCHULMERICH: Let's confirm that.

RICHARD STOWE: There is a fairly lot of material between the numbered resolutions, pardon me.

COUNCILWOMAN SPERR: What number?

RICHARD STOWE: The minutes don't indicate that it was moved and seconded by anyone. So a motion is in order.

SUPERVISOR LOGEL: It was just moved by Mrs. Sperr and seconded by --

COUNCILMAN SCHULMERICH: I will second it.

SUPERVISOR LOGEL: Now for discussion.

COUNCILWOMAN SPERR: Okay. Appreciate everyone voting to table that last month so we had time to assess things and ask questions. I did speak to the attorney and ask several questions that had been of concern that had been raised by residents at the meeting. And it was -- without playing Planning Board, I did question about the -- I don't know the right terminology. The radius and demographics of that site to see whether or not that building would be able to be positioned properly and if the proper wall would be used and buffering and the driveway entrances, I also asked about that.

Part of the problem with that is that that beige house that sits directly opposite the entrance and exit on Paul Road from Wegmans was not opted to purchase. When I questioned about that, it was stated that -- that there is a cost of doing business and they didn't feel they needed that property and would put that development -- it would make it cost more than they had intended or they needed to make a profit to make this work. So that house is still not proposed to be included in that, so it makes it impossible to have the driveways line up unless they change their designs for that building.

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So I still express a concern over the traffic on Paul Road coming out of that development. But they also said there would be buffering and trees and I also expressed my desire to have -- if we're discussing a Main Street feel for that property, that they should also construct a building like that, and I have been told there are several designs that they have available to try to accommodate us in that way. So I did appreciate having the time to follow up and ask questions, and I appreciate the interest by all of the neighbors that came tonight.

Now we just -- there was no conversation, but in our mail boxes over the weekend and Saturday when I went to get my mail was the first time I had seen that there was a petition submitted by the neighbors on Grenell Drive. That was one of my first questions I asked when this was first brought up, did the neighbors complain? And I had heard at the Planning Board meeting there were only one or two people that spoke negatively about that.

Then we hold our rezoning public hearing last month, and there were only a couple people that were against that. So it puts me in a bit of a quandary to see that the residents of Grenell Drive, um, have now expressed their concerns via petition. Um, I have stated previous to that, when we were discussing businesses on Paul Road, that I don't mind having stores put in the right area, in the right shopping area up on Chili Avenue where most of the people see it. Um, but I'm not interested in moving road -- stores further down Paul. But I was given the impression that the residents around there didn't have a major problem with that, and that Walgreens would be a good neighbor when they put that project in. So I'm still struggling with my decision as to what to do tonight, but I just wanted to be plainly spoken about that.

COUNCILWOMAN IGNATOWSKI: If I may, I struggle with this very much, as well. Given some of the comments about exactly what would -- was the idea behind suggesting commercial in that area. Certainly was looking at maybe something -- not GB but how about NB. But Walgreens would be allowed in Neighborhood Business, as well.

I had a conversation with Jim Martin from the Planning Board about that very fact. Well, why not Neighborhood Business. And reason being is the other parcels are already General Business, and the size of the parcel would limit what would go on there anyways, and Walgreens would be a Neighborhood Business allowable in that zoning, as well.

It certainly is in our Master Plan that that should be a commercial area, and when you're looking at it, you have Wegmans and you have K Mart. Um, time and again, we have been told by residents, "Follow the Master Plan. Follow the Master Plan."

So at this point, the Master Plan does call for that. I am not crazy about having, you know, commercial right up against residential. It is my hope that the Planning Board will be very sensitive to that, that they would do buffering on the back side of the particular proposal to mitigate the effects of a commercial enterprise so close to residential.

I also expressed the concern I do not want to see this creeping down further. Master Plan calls for it to end at Grenell, so I suppose there would be like one, or one house more on Paul Road that could conceivably, the house itself be changed into something like how you see Jill Corey's going to that. But that is where that would then stop. You wouldn't be able to have something larger there, just by virtue of the size of that property. I can't play Planning Board. Am I crazy about having another drugstore amongst the two other ones? That is really something that we're not supposed to be taking into consideration. Is this zoning appropriate for this particular parcel? It is supported by the Master Plan. And it is also supported by the comprehensive -- the report that just came out this past year. They did not make any recommendations to say that no, they do not agree with that Master Plan. They said they agreed with the Master Plan. So we had a committee looking at at the Chili Center, and they never said anything different for that particular parcel. So I struggle with that.

I can appreciate if the neighbors will be -- behind this, um -- you know, it impacts them. I would hope that that be mitigated.

SUPERVISOR LOGEL: I would hope that the way CVS mitigated Chili Avenue further down, which is surrounded on four sides by residential, and they worked with the neighbors. I know there was complaints -- I mean at the time that that was developed, I remember hearing them, and they worked very well with the neighborhood.

COUNCILWOMAN IGNATOWSKI: If I will, I know that we have a gentleman that said that initially he really fought with CVS, but now they're really a good neighbor. That would be one of my

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questions or suggestions, that you meet with the people that are in that -- I don't know if that has taken place, but certainly that would be advisable to find out what their concerns are and how best to mitigate those.

COUNCILWOMAN SPERR: I have a question for Counsel. If -- I understand that we rezone the property with the expectation that whatever the code dictates is allowable in GB, we're going to put in. But the premise here is that it will be a Walgreens. Should this Walgreens proposal fall apart and they walk away from this, there -- that allows other types of businesses that I do not feel would be as amenable to the neighbors. For example, if I lived on Grenell Drive, I certainly would not want Burger King to decide to want to locate there. But GB will allow a Burger King. So my question to Counsel is, should this vote to rezone pass tonight and something falls through with the application for Walgreens and an application similar to what I just said about Burger King or some other type of business be brought to the Town, can we pass a resolution to rescind the rezoning?

RICHARD STOWE: Theoretically on your own motion you could take that action. I -- I would point out that this -- this application is being brought to the Town based upon a series of options or contracts that this particular developer has gone out and signed with these contiguous parcel owners.

COUNCILWOMAN SPERR: I understand that.

RICHARD STOWE: I would also remind the Board that Pikuet Drive is through the -- currently through the middle of this site. And the rezoning technically looks at this area and would rezone it without regard to this developer being successful or not.

However, if it is GB, and those -- those -- this fails and those parcels are as they are currently aligned, we have some significant size and lot size issues with those parcels as they currently exist, absent some grouping of those parcels together and dealing with the issue of Pikuet Drive. I'm not a planner either. I don't pretend to know how easily any one development could happen, but I think the proper way for this Board to look at this application is for this area, and whether it is properly a GB area or not. Without regard to whether this application itself goes forward or not.

SUPERVISOR LOGEL: Do you have any questions?

COUNCILWOMAN SPERR: So are --

RICHARD STOWE: I didn't answer your question.

COUNCILWOMAN IGNATOWSKI: Well, I guess, would it be -- for Neighborhood Business, that would take away the restaurant. Your -- your Burger King.

COUNCILWOMAN SPERR: I also looked that up.

COUNCILWOMAN IGNATOWSKI: That would not be allowed in an NB.

COUNCILWOMAN SPERR: But it complicates things to have part of a parcel be GB and NB. You don't want to do --

SUPERVISOR LOGEL: You can't mix it.

COUNCILWOMAN SPERR: You can't mix that.

RICHARD STOWE: If your real question was if this fails and the Town Board on its own motion later on wants to go with something like NB for that area, could it? The answer is yes.

COUNCILWOMAN SPERR: Okay.

COUNCILMAN SCHULMERICH: The only comment I would have, we have spent a lot of energy over the last year, year and a half focused on the Master Plan and what is appropriate for the Town. Across the Town. A lot of energy spent in the Chili Center area. What we're looking to do with this property is align it with the Master Plan as initially written and with the most recent update. I concur with Ms. Ignatowski's comments.

SUPERVISOR LOGEL: Mr. Slattery?

COUNCILMAN SLATTERY: No. I don't have any comment.

**BE IT RESOLVED** to remove from the table Resolution #111 which was tabled from the February 7, 2007 Town Board meeting.

**OFFERED BY: Councilman Schulmerich    SECONDED BY: Supervisor Logel**

On the motion to remove Resolution #111 from the table:                      UNANIMOUSLY APPROVED

**RESOLUTION #111 RE: Rezoning of 3127 Chili Avenue and 778 Paul Road  
from R-1-12 to GB**

**OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich**

**WHEREAS**, Fix Spindelman Brovitz & Goldman, acting on behalf of the record owners of the property located at 3127 Chili Avenue and 778 Paul Road, made application to the Planning Board for rezoning of these parcels R-1-12 (Residential) to GB (General Business), and,

**WHEREAS**, the Planning Board held a public hearing on December 13, 2006 on said application to rezone said premise to General Business by a vote of six yes and,

**WHEREAS**, the Town Board on February 7, 2007 conducted a public hearing as required by its Zoning Local Law,

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board, lead agent for State Environmental Quality Review Act purposes, has reviewed the environmental record with regard to this application and determines it to be an unlisted action and makes a determination of no significant environmental impact, and,

**BE IT FURTHER RESOLVED** that the recommendation of the Planning Board to rezone the parcels at 3127 Chili Avenue and 778 Paul Road, from R-1-12 (Residential) to GB (General Business) is hereby approved, and,

**BE IT FURTHER RESOLVED** that the Town Clerk is hereby directed to modify the Town Zoning Map, accordingly.

APPROVED BY A VOTE OF 4 YES TO 1 NO (Councilman Slattery voted no.)

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COUNCILMAN SLATTERY: Supervisor actually under Old Business, I would like to -- as you received in your box from --

SUPERVISOR LOGEL: Can I just say this? We have got -- if we put it at the end, only because Mr. Spinelli is here, and if we get to answer any questions regarding the personnel policy.

COUNCILMAN SLATTERY: I'm not --

SUPERVISOR LOGEL: But you will put this in, and I thought there was going to be quite a lot of discussion under what you're going to put --

COUNCILMAN SLATTERY: It's under Old Business.

SUPERVISOR LOGEL: Can we make an exception? Is it allowable to move it to the end and bring it up there? Just because we have Mr. Spinelli here on the clock. Can we do that?

COUNCILWOMAN IGNATOWSKI: Guess I --

COUNCILMAN SLATTERY: Why didn't we have Mr. Spinelli go before everything else then?

SUPERVISOR LOGEL: I wanted to do that.

COUNCILMAN SLATTERY: But you didn't.

SUPERVISOR LOGEL: I didn't get a chance to do it.

Go ahead then.

COUNCILMAN SLATTERY: That's fine. That's fine.

SUPERVISOR LOGEL: Is it possible, Rich (Stowe), to do that?

RICHARD STOWE: You can do whatever you want. As long as everybody agrees.

COUNCILMAN SLATTERY: She has -- maybe she has a lot of discussion.

SUPERVISOR LOGEL: I have a lot of discussion on the resolution that was sent to me, and I have a lot of information I have researched today and suggestions that -- so -- I would like to bring up.

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COUNCILMAN SLATTERY: We are spending a lot of money on attorneys. If Mr. Spinelli is on the clock, I would say yes, let's go ahead and move to that next resolution.

SUPERVISOR LOGEL: Okay.

**NEW BUSINESS:**

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TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

MR. SPINELLI: New law was passed last year in June by the State Legislature requiring public employers to adopt a workplace violence policy. The Legislature finding that there was an increase in both homicides and other workplace violence, to make sure that every public workplace – for some reason schools were exempted. I think they have enough laws already regarding that. But for State agencies as well as municipalities, political subdivisions, towns, villages adopt a workplace violence policy.

In accordance with the statute, um, we drafted a policy which the Town Board has had. Which basically makes workplace violence a zero tolerance policy on this. But it includes the elements of the statute, which means there are certain reporting requirements if somebody does observe an incident, whether it be an outside person or a visitor or an action that occurs between employees, we create a buddy system so that our -- our employees will work together and not work alone in dangerous situations. We have identified high-risk areas to insure that we have safety. We have inspections. We ban weapons, and we have a reporting procedure for -- for violence. So it's a pretty straightforward policy. It's something required by law. It will be part of the full handbook, but because this was a new policy that came in in between, it had been -- it was reported to you separately for a separate document.

SUPERVISOR LOGEL: Can I have this moved and seconded?

COUNCILMAN SCHULMERICH: I will move it.

COUNCILWOMAN IGNATOWSKI: I will second it.

On inspections, on page 5, I just have a question. Should the employee be present if they're going to be having that, or --

MR. SPINELLI: Well, it depends on the circumstances. What we would normally do is have the employee present for an inspection like that. If we were not to do that, because of the timing or because of some other security risk, what we do is we make sure we have two people there, with an inventory, and a checklist which both sign off on, so that if something is inspected -- for instance, you're inspecting a desk or a locker and somebody said, "Well, you inspected, but I had \$50,000 in cash or a diamond ring in there," you don't get into a he said/she said. So that is a standard procedure that we would employ that would be an inventory of the -- recorded in that fashion, but normally you're correct, we would try to have the employee there when the property was inspected.

COUNCILWOMAN IGNATOWSKI: Because that is not spelled out in there.

COUNCILWOMAN SPERR: Yes. That's my problem, too. Wouldn't it need to be spelled out in this policy?

MR. SPINELLI: No, it doesn't need to be. The law doesn't require it. That would be just an implementation procedure that we would normally do.

COUNCILMAN SLATTERY: How does it work when there is a problem -- who do they report it to, and how is that handled?

MR. SPINELLI: Well, normally, it would just be reported up through your chain of command. And as -- as -- as in other policies, if your problem is with your chain of command, you go to the next level and certainly reports could always be made to members -- to the elected officials.

COUNCILMAN SLATTERY: So basically, there's the chain that they would go through reporting. So when it gets to the Supervisor's office, what happens then, if there is a problem with that office -- within that office? Who does it go to then?

MR. SPINELLI: It should go to the Town Board.

COUNCILMAN SLATTERY: Okay.

MR. SPINELLI: The Supervisor is, of course, the full-time member of the Town Board, but the

Supervisor is -- is not a Chief Executive, as you know, in the sense of a Mayor or something. Supervisor is one member of the Town Board and all action is by a majority of the Town Board. So if there was a complaint or a problem in that office -- in all things, it is the full -- the majority of the Town Board that takes legal action, as you know, Mike (Slattery).

COUNCILMAN SLATTERY: Well, I would -- I guess I have a problem with a little bit of that, because there was an incident in that office where we did sign a severance package with an individual, so we weren't fully aware of everything that was taking place. So that is why it concerns me when you see the chain going through, and what it has cost us in the past. So... That's -- that's all I have right now.

COUNCILWOMAN SPERR: Okay. I have a question for you, Peter (Spinelli). The one sentence here -- I will read it to you so you have the full sentence. "If you engage in any violence in the workplace or threaten violence in the workplace, you subject yourself to serious discipline, which may include termination for cause."

What type of discipline were you envisioning if it was not termination? Depending on the offense, I imagine. But what kind of discipline do you imagine takes place if a violation --

MR. SPINELLI: Let's assume we have two employees that get into a scuffle. You have two employees who may have excellent records, long service for the Town. We may do some counseling. We may send them to anger management. We may suspend them, but it may not be appropriate to have them lose their job over it.

COUNCILWOMAN SPERR: That decision will be based on --

MR. SPINELLI: That decision, obviously if they are Union employees, we would deal with their Union representatives. If they were office employees, we would deal with the supervisors and counsel them that in that fashion. And, of course, even our non-Union employees have Civil Service protection, so we would follow those procedures.

COUNCILMAN SLATTERY: Thank you, Peter (Spinelli).

**RESOLUTION #124 RE: Workplace Violence Policy**

**OFFERED BY: Councilman Schulmerich      SECONDED BY: Councilwoman Ignatowski**  
**BE IT RESOLVED** to adopt the Workplace Violence Policy as drafted February 12, 2007.

UNANIMOUSLY APPROVED

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TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: We have some questions relative to this, that I was told that we require Executive Session to ask those questions. Is that correct?

MR. SPINELLI: It's tough to know whether the question would require Executive Session until it is asked, but let me just give you this general guidance. Because the personnel policy involves not only our non-Union but our Union employees, part of it covers, you know, collective bargaining under Article 14 of the Civil Service Law and those matters are appropriate for Executive Session.

Also, some matters of -- having to do with personnel and privacy that are covered under the policies could require Executive Session. So that if there are sensitive issues, we should go into Executive Session to discuss them. If they're -- if they're questions of a general nature, I can certainly try and answer them.

Let me -- if I can just preface why we have the resolution before the Board tonight, we have been working on this, as the Board knows, since last fall, and I -- I think the Board got a copy at the very end of the year. And I appreciate the comments of some Board members of Town Council and certainly the Supervisor has spent a lot of time and Councilwoman Ignatowski gave us extensive comments.

In -- in working on this, I think we became concerned that -- staff with Dianne (O'Meara) working a lot on it, but -- we're going to keep getting questions and clarifications and amendments, and that's good. That's a healthy process. It's a -- it's a dynamic document and we're going to have to

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tweak it and make changes. But we -- but we've made substantial revisions from a document that was last produced August 21st of 1996. So we're talking about almost 11 years here.

And my concern, as your labor counsel, was we need to get these policies in the hands of our employees. Now, we can issue amendments and clarifications and -- when we have enough of those tweaks, we can put out a new document. I usually like to do that at the beginning of a year, so you kind of have a fresh start at the year. For instance, the -- the beginning of '08.

If the Town Board members have -- think that there are policies which are just dead wrong or they don't like it, that we shouldn't adopt this tonight, we can spend sometime either tonight after your regular meeting in Executive Session or some other time in Executive Session.

But if it is just a matter of saying we would like to add this, and I know, for instance, Town Counsel had some very good suggestions we would add on, but really his suggestions wouldn't invalidate anything that we have here. They would just be, geez, when we revise this, you really ought to also add this. Excellent suggestions. And some of the Councilwoman's also.

So I would suggest that unless somebody has a fundamental problem with some of the policies, that we enable the staff to get this in the hands of our employees. It does apply to Union employees also. Some of the policies would be superseded if it conflicted with their labor agreements, of course, because that takes precedence, but many of them are of a general nature and some of them have been issued piecemeal. We not only have the workplace violence policy, but we have an extensive sexual harassment policy. We have our internet policy. A bunch of other significant policies that we need to get to our employees where they sign off that they have received these policies, they know they're responsible for them, and so on and so forth. Then if we do need to make clarification, we can do that.

Also, as you know, we have requirements under our Union contract that we consult with the Union on these policies. We had -- did that and the Union has been very, very cooperative in this regard, because they know these policies are for the protection of their own people that they represent. We have a posting requirement and we have completed our posting requirement.

So if we go back and reboot this now, which that's the Town Board's decision -- I was hearing "rebooting" a lot, so I guess that stuck in my mind. It is really not appropriate to this, but if we say no, let's go back and make all these changes that we want, it may delay the process for a period of time. And that's okay if that's what the Board wants.

I would rather deal with it as amendments and clarifications and perhaps a whole new document when we have enough of those, rather than delay the process. But that just depends on whether any of the, you know, individual Council members have serious misgiving about some of the policies. And that's -- that I can't answer. You have to tell me.

COUNCILWOMAN IGNATOWSKI: Peter (Spinelli), if I may. I did have a lot of questions, and most of them were answered, but there were some that I was told really couldn't be answered in this particular setting, that it would probably require an Executive Session. I'm trying to go through them right now. Actually some of them don't.

One I have was page 8, section 6, paragraph C, it goes through setting the -- setting the salaries, and -- now, it said strictly the Supervisor. I understand the Supervisor is going to go through with the appraisal of the employee to determine the merit, whether they get the one or the three. But technically the Town Board is the one that sets it at the organizational meeting. I just didn't know if there was a technicality there that needs to be addressed. I mean, I can appreciate you will be the one who decides the merit, but really we're the one at organizational who sets the salaries.

COUNCILMAN SLATTERY: I think isn't that two separate issues.

MR. SPINELLI: You're looking at C?

COUNCILMAN SLATTERY: Yes.

COUNCILWOMAN IGNATOWSKI: Yes. Paragraph C.

MR. SPINELLI: But the Town Supervisor -- you're correct. But the Town Supervisor can really only act with the authority of the Town Board and by setting salaries by your organizational meeting by resolution.

COUNCILWOMAN SPERR: But it doesn't say that.

MR. SPINELLI: No. That would be a great clarification. Given the fact that the law already requires that the action be taken by the Town Board, I don't -- you see, that is a good example of what

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I was saying. Could that be clearer, yes. And I appreciate it. But this is not violating any law, and we -- we can operate in the way that you suggest because that's how we would have to.

Now, I mean, if you find that -- I just don't want it reading in there like that, then we stop and go back to the presses and do it. But I don't see that as a particularly significant thing.

COUNCILMAN SLATTERY: That was an issue this past year where we came to the organizational meeting in January, and we were given the salaries for the individuals and a question came up, one individual received a 1 percent increase. We're not full-time. They have supervisors that review their performance, they write the performance evaluations, and they give them what they feel is justified. We're not included in any of that.

So when it comes to organization time, we get that information. So I think that's part of the question, if -- I don't want to misspeak, but as Councilwoman Ignatowski --

MR. SPINELLI: Let me see if I can speak to that. Because I think we're mixing a little sliced ham and baloney here. But we do that all of the time.

COUNCILMAN SLATTERY: Both meats.

MR. SPINELLI: Both meats.

The Town Board has the right, if it feels it doesn't have sufficient information, has the right to say we're not going to adopt this resolution approving these salaries. I mean, you can do that. That's -- that's your power of the purse. Okay. I think what you're talking about, perhaps, is some internal Board procedures of getting some information ahead of time with -- and now we're talking about our non-Union staff obviously, our exempt staff, because the Union salaries are all covered by the contract, and that's probably about 80 or 90 percent of our employees. So we're talking about a small number of people that it's a matter of the Town Board's own procedure as to where you -- when you get information and in what form with respect to the performance evaluations and the recommended increases.

But that's a matter of your internal procedure, and -- in many towns, and I work with many towns, and as you know, was Town Attorney for six years in Pittsford. A lot of that would, indeed, be left to the Supervisor because she's your Chief Administrative Officer in this Town.

Now if the Board would like to exercise more control over that, you can do it, but that is an internal Board matter rather than a --

COUNCILMAN SLATTERY: Which I agree with you. That is ultimately -- the Supervisor is full-time. Town Board is part-time. It is not our job. We shouldn't be here micro-managing every decision and evaluation and so forth.

So I think it is just the wording in there that is -- maybe needs to be tweaked a little bit, because that caused a little concern.

MR. SPINELLI: Okay. I understand. I mean you just have to decide whether that -- whether that -- that concern of wording -- I -- of course, when we were drafting it, we didn't have that background -- is enough of a concern to say let's stop the presses. I think we can interpret it in a way that the Board has suggested and make sure it is applied that way and then you can develop your internal procedures.

COUNCILMAN SLATTERY: If it is an issue right now that we feel is that accurate --

MR. SPINELLI: Right. That's what I am saying, right.

COUNCILWOMAN SPERR: My problem with this is that we were -- we understood after the fact that you had followed through and made your posting. And, um, we did get a copy of this in December. But there has been no opportunity to have discussion with you other than via e-mail. This Board has not discussed this. And we sat in a session at an Association of Towns three years ago. The Supervisor was in that same session. We knew three years ago we need change this. But it appears to me now we get a copy in December and it is hurry up and rush and let's get this done, but we haven't had a chance to adequately discuss this and I'm afraid to ask certain questions because I'm not sure if they're appropriate to ask them or not and I don't know unless I get behind closed doors and ask them. I don't like when paperwork

is provided to me and not -- an opportunity to discuss this isn't put forth. So --

MR. SPINELLI: Let me say this.

COUNCILWOMAN SPERR: I struggle with this.

MR. SPINELLI: The Supervisor was concerned about time and so on and so forth. I'm happy

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to have the Board finish the regular business, do an Executive Session, try to answer some of the sensitive questions, and if we still feel it is substantive, you come back out and table it. But when we come back into regular session, if we have answered those questions, you may feel more comfortable about it.

I know you have some questions that weren't answered by Dianne (O'Meara) and I'm prepared to answer them. I think I can answer them to your satisfaction. So rather than just --

COUNCILWOMAN SPERR: I feel at a quandary.

MR. SPINELLI: I mean if you want to table it, that's fine. Rather than have it tabled, I would be happy to stay for an Executive Session. It's appropriate for an Executive Session and we can handle Councilman Slattery's --

SUPERVISOR LOGEL: Why don't we just go into Executive Session now and do it?

MR. SPINELLI: I don't think it would take more than a few minutes.

SUPERVISOR LOGEL: Okay. Motion for --

COUNCILMAN SCHULMERICH: I make a motion to go into Executive Session.

COUNCILWOMAN SPERR: I'll second.

The Board was unanimously in favor of the motion to go into Executive Session.

The Board went into Executive Session at 8:42 p.m.

The Board returned from Executive Session at 9:13 p.m.

COUNCILWOMAN IGNATOWSKI: I will move to come out of Executive Session.

COUNCILMAN SCHULMERICH: Second.

The Board was unanimously in favor of the motion to come out of Executive Session.

SUPERVISOR LOGEL: Now, on the table is the personnel policy.

COUNCILWOMAN IGNATOWSKI: Peter (Spinelli), thank you very much for taking the time this evening to come out and answer the remaining questions.

**RESOLUTION #125 RE: Personnel Policy**

**OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich**

**BE IT RESOLVED** to adopt the "Town of Chili Employee Personnel Policy"; and

**BE IT FURTHER RESOLVED** this "Town of Chili Employee Personnel Policy" dated March 7, 2007 replaces the "Town of Chili Employee Personnel Policy" dated August 21, 1996.

UNANIMOUSLY APPROVED

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TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

SUPERVISOR LOGEL: There were some questions asked about this, but I have to -- Joe Carr is not here, and -- are you familiar with any of this, Dianne (O'Meara)?

DIANNE O'MEARA: Um, not really. The only thing that I can state is that, um --

SUPERVISOR LOGEL: There were questions about overtime and per person hours, all night long, all those hours. I thought it was just a specific --

DIANNE O'MEARA: I don't think they're paid an overtime rate.

SUPERVISOR LOGEL: And the State certified workers.

COUNCILWOMAN SPERR: This doesn't require a bid. He had asked if it had to go out to bid.

RICHARD STOWE: That's correct.

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COUNCILMAN SCHULMERICH: Is there any -- is there any harm in our tabling this resolution for two weeks until Joe (Carr) is back to answer questions?

DIANNE O'MEARA: No, I don't think so.

COUNCILWOMAN SPERR: Is there a situation, Michael (Curley), that this needs to be passed?

MR. CURLEY: The security won't start until after Memorial Day.

COUNCILMAN SCHULMERICH: I make a motion we table this until we have Mr. Carr available to answer the questions.

SUPERVISOR LOGEL: I agree.

COUNCILWOMAN IGNATOWSKI: Second.

COUNCILWOMAN SPERR: I will second it.

Who do you have for a second?

RICHARD BRONGO: Ginny (Ignatowski).

**RESOLUTION # 126 RE: Park Security Service**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilman Schulmerich**

**WHEREAS**, the Town has contracted with Pro-Tect Security in the past years to provide evening hours of security services in Town parks during the summer. The Town has received excellent cooperation and security coverage from Pro-Tect Security and would desire to retain the same security services for the coming season,

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the Supervisor to sign a contract extension with Pro-Tect Security for the above referenced services, to include hourly reimbursement rates of \$25.50 per hour for evening park security.

Motion to table:

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

On the motion to table: UNANIMOUSLY APPROVED

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**RESOLUTION # 127 RE: Spring 2007 Land Use Training**

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

**BE IT RESOLVED** that Dennis Scibetta, Building & Plumbing Inspector attend the Spring 2007 Land Use Decision Making Training Classes on March 8, 15, 29, 2007 and April 12 & 19, 2007 at Monroe Community College, Brighton, NY at a cost of \$150.00 plus mileage; to be paid from account A3620.4 (Safety Inspector – Contractual).

UNANIMOUSLY APPROVED

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**RESOLUTION #128 RE: Parks & Recreation Master Plan SEQR**

**OFFERED BY: Councilman Schulmerich**

**SECONDED BY: Councilwoman Ignatowski**

**WHEREAS**, the Chili Town Board has considered the final draft document of the Parks and Recreation Master Plan Update, and

**WHEREAS**, the Town Board has also given consideration to the public hearing record, and

**WHEREAS**, there has been no written comments or concerns submitted to the Town Clerk on the adequacy of the Environmental Record prepared on the Parks and Recreation Master Plan Update, and

**WHEREAS**, the Town Board is the only Involved Agency and therefore makes a determination of no significance based upon its review of the criteria for determining significance as set forth in Section 617.7 © of the State Environmental Quality Review (SEQR) Regulations, and

**THEREFORE, BE IT RESOLVED**, that Supervisor Logel is authorized to sign and execute a Negative Declaration on the action to adopt the Parks and Recreation Master Plan Update and that public notice of this determination is filled in accordance with the procedures set forth in the State Environmental Quality Review (SEQR) Regulations and a copy placed in the adopted Parks and Recreation Master Plan Update document.

UNANIMOUSLY APPROVED

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TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: Yes, actually, yes. Hold on. I got to get some pages here. On page 11, during the public hearing portion I had indicated that perhaps we should be looking for a different name other than Baker, to reflect that, and I was hoping to see something in there, in the language that would indicate that that might be a suggestion in the future, but that is not incorporated into here.

COUNCILWOMAN SPERR: You know --

SUPERVISOR LOGEL: By adopting this -- excuse me. Just a second. By adopting this, are we adopting the name? Or can that be amended at any time or changed? Say, you know --

COUNCILWOMAN SPERR: Because we have -- it's been the Baker property. It's never been adopted as a park and so that's why -- even though it's treated as a park and looked at as a park, I wouldn't want to adopt it as Baker Park knowing we might call it something else and it just achieved that name because Baker owned the property and we bought from them.

MR. CURLEY: I would have to defer to Counsel if by adopting this it would officially make this the Baker Park. This is purely a list of inventory of Town parks. It is currently called Baker Park. That is why it is called Baker Park in this report. If we choose to go forward and do improvements and projects for that parcel and in that time the Town Board decides to change the name of the parcel to a different park, I think the Town can do that. But that is purely for inventory purposes, but I would have to defer to Counsel on that.

COUNCILWOMAN SPERR: Let me ask the question one step further. Part of the reason we wanted to have a time frame to finish this, to get this updated was to be able to have the (inaudible) submit for grants. Do we need to be able call it a park to submit for grants? Is it necessary? Does it matter what it is called? Just to make sure I clarify.

MICHAEL CURLEY: Those grants, as long as the proposed project is part of the adopted Master Plan, then you're covered.

COUNCILMAN SLATTERY: One thing, one of the seminars I went to in New York City, Association of Towns, was open space and park lands, and this was put on by the Chief of Grants for New York State, and also Assistant Commissioner of Planning for the City of New York, and when they talked about park land, which I was very curious about, is that -- the name, you may call it Baker property, but it is utilized as a park, you know. You have certain activities there. You have the disk golf there. That is a park. Plain and simple, black and white. Because I asked the individual about this, and I was given the answer that it is a park. And that is why -- you know, sometime -- you know, to do anything, how you use it.

SUPERVISOR LOGEL: We could leave it in here as a park.

COUNCILWOMAN IGNATOWSKI: I was just saying.

SUPERVISOR LOGEL: I think they're concerned more about the word "Baker" than "park."

COUNCILWOMAN IGNATOWSKI: That was my issue. It was Baker, who we bought it

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from. It may be nice to recognize somebody who was historically important in the Town, the Chili Lions or something. Have it be something other than just who we purchased it from.

COUNCILMAN SCHULMERICH: I don't think during any of the sessions that were held on the Master Plan Update for Recreation and Parks was it inferred by referencing the Baker property as the Baker property that it was intended on an ongoing basis for it to continue to be called that. I think it was just what the reference was.

That is fair, isn't it, Mr. Curley?

MR. CURLEY: Yes.

COUNCILMAN SCHULMERICH: I know your last name.

MR. CURLEY: Very fair assessment.

SUPERVISOR LOGEL: So basically what -- what has come out of this discussion is that it doesn't matter in this instance. We can change this if we decide you want this to be named after some -- some general Chili --

COUNCILWOMAN SPERR: I propose a resolution to vote on it at some future date.

COUNCILWOMAN IGNATOWSKI: Yes. I also didn't like these two sentences being included in this document, that being "The special interest groups, teams and leagues that are not Town-sanctioned," and it is "under utilized by the community."

I wanted those two sentences struck.

COUNCILWOMAN SPERR: I agree with Councilwoman Ignatowski.

COUNCILMAN SLATTERY: Actually, I would agree with the sentence that says, "However, the course is under utilized."

I will bring up the same argument. Was there a study done? Basically you're asking people to sign in. Basketball courts, tennis courts. You know, bocce, whatever there may be. How do we know that those are being under utilized and so forth?

COUNCILWOMAN IGNATOWSKI: So can I amend -- can I --

RICHARD STOWE: You can.

COUNCILWOMAN IGNATOWSKI: Can I amend the document prior to adoption? I know we can do it with the Master Plan. That was done with the Master Plan for the Town.

COUNCILWOMAN SPERR: It's proposed. It's not adopted yet until we pass it.

RICHARD STOWE: It's submitted for your review and approval.

COUNCILWOMAN IGNATOWSKI: Okay. Well, I would like to move to amend to have those two sentences struck.

RICHARD STOWE: Is that it?

COUNCILWOMAN IGNATOWSKI: Let's see here. I know Michael (Slattery) has comments, as well.

Oh, there was a misspelling on page 29, it is "highland" instead of "highlight."

COUNCILMAN SCHULMERICH: I'm hopeful that the normal Town Master Plan had this level of review.

COUNCILWOMAN IGNATOWSKI: Actually, the Master Plan for the Town did. It was amended. There -- there were a number of amendments before that was adopted, the one that you and I worked on, Denny (Schulmerich). There was. At the Town Board level, they did a number of amendments. That was probably the only two amendments I had wanted to see.

I still question the Parks Advisory Board. I recognize that that is just a recommendation. I would still like to see if we can possibly --

MR. BRIXNER: Could you speak up a little louder?

COUNCILWOMAN IGNATOWSKI: I'm sorry. I'm losing my voice.

MR. BRIXNER: Well, speak in the microphone.

COUNCILWOMAN IGNATOWSKI: Still, I think we had further discussion if Recreation -- the current Recreation Committee can also take on the parks. But I recognize that that is just a recommendation on those other pages.

COUNCILMAN SLATTERY: On page 12 when you talk about Ballantyne Park, I commented about the agreement with ARC. Did we look into that at all? That would be the park area is open, turf area, limited parking at roadside, five spaces, but there is an agreement with ARC, I believe.

MR. CURLEY: In regards to agreement for?

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COUNCILMAN SLATTERY: Parking.

MR. CURLEY: I have not checked into that yet. I will make a note to look into that with them.

COUNCILMAN SLATTERY: Also, I -- Community Center, page 13. It talks about tree limbs hanging over playing field. Those were cut. Um, I didn't -- I mentioned that at the last one.

Page 15. Hubbard Park. There is no mention of the parking that is on Parkway. On the south of the property.

And then on page 31, for Davis Park, at the bottom, why do we remove the sentence "redesign existing parking and stripe"? That is on page 30 in the draft report. That is for Davis Park. Does that -- do we feel that is not an issue that we don't need to address?

MR. CURLEY: I'm sorry, can you repeat that? On page 30.

COUNCILMAN SLATTERY: In the old report, it said that -- redesign existing parking and stripe. But it was struck from this draft that was sent to us.

MR. CURLEY: That I would have to check with John Caruso from Passero and see -- my understanding is -- any suggestions or recommendations that we had from the previous public hearing, I provided those back to Passero and they implemented those into here, so I will have to check with him why that was removed, and then get back to you.

COUNCILMAN SLATTERY: The last point I would have is on Appendix A, Chili Nature Trail. Adjacent land use. Also there is residential land on Stottle Road. Community Center. Um, under building. Not code compliance for use of ADA, fire, et cetera. I thought we -- I thought that was determined that it was code compliant for ADA. Fire -- our Fire Marshal does issue a permit every year for that facility.

Davis Park, on the parking, it says, "no signage or striping." There is signage.

Also on the lighting for Davis Park, there are lights on the building.

Memorial Park, under adjacent land use, G -- you know, there is also GB. And then Memorial Park we have behind old -- or behind the Town Hall, that's the old Town Hall. That's all I have.

Otherwise, Michael (Curley), I think the Committee did a very good job, and appreciate all of the time and effort you guys put into it.

COUNCILMAN SCHULMERICH: Do we feel we have enough information to vote on it tonight or would you prefer deferring for two weeks until the changes are confirmed?

COUNCILWOMAN IGNATOWSKI: I would say do we do this all by amendments? I had just the two. You had a number of them. Would we rather try and get those changes made and then do it on a clean document or do we do it by amendment?

COUNCILMAN SCHULMERICH: Board's pleasure. As long as we have everything tonight that -- as long as we feel that this is the final iteration, and -- and that we would not anticipate further amendments in two weeks, um, it -- it is reasonable to assume that we can table for two weeks, get the changes made and then -- it is up to the Board for discussion.

COUNCILWOMAN IGNATOWSKI: Because you can adopt it with the amendments. Because they will have to make those changes because of the amendments anyway.

COUNCILMAN SCHULMERICH: That's correct.

RICHARD STOWE: Are you comfortable with the list of your renditions, with the list of the amendments?

COUNCILMAN SCHULMERICH: Then I guess I'd suggest we vote tonight with the understanding that the amendments will be incorporated.

COUNCILWOMAN IGNATOWSKI: Adopted as amended so we can start the process for the Baker Park plan and also for the grant because I don't want to keep holding that up.

RICHARD STOWE: You're not amending the resolution. You're amending the document.

SUPERVISOR LOGEL: Right.

So you don't need to vote on it.

RICHARD STOWE: No.

COUNCILWOMAN IGNATOWSKI: You don't need to have the amendments called out with the resolution then.

COUNCILWOMAN SPERR: They will be part of the minutes.

RICHARD STOWE: The only thing that we're doing in the last -- next to the last paragraph,

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we're saying that we're approving it as submitted.

COUNCILWOMAN IGNATOWSKI: As amended.

RICHARD STOWE: As submitted with amendments. That unfortunately will require a motion and a second to amend the resolution.

SUPERVISOR LOGEL: All right.

COUNCILMAN SCHULMERICH: Got it.

Would you like a motion to amend the resolution?

SUPERVISOR LOGEL: Please.

COUNCILMAN SCHULMERICH: So moved with comment under "Now, therefore, be it resolved that the Town Board hereby accepts the Parks and Recreation Master Plan Committee's five-year Master Plan report for the March 2007 to January 2007 as submitted with amendments, and be it further resolved," closure.

COUNCILWOMAN SPERR: I will second that also.

SUPERVISOR LOGEL: Moved by Mr. Schulmerich. Seconded by Mrs. Sperr. On the amendment?

**RESOLUTION #129 RE: Accept the Parks & Recreation Master Plan Report**

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

**WHEREAS**, the Parks & Recreation Master Plan Committee was established by the Town Board Resolution #155 (May 3, 2006), and charged with developing a five-year master plan for the continuing development of our parks and recreation program, and,

**WHEREAS**, appointed by Town Board Resolution #170 (June 7, 2006) the following committee members, Michael Curley, Keith Bozek, Daniel Maffett, Linda Palmeri, Jason Becker, James Powers, Gary Lawniczak, Pat Tindale, Barbara Denigris, along with Councilman Dennis Schulmerich have submitted their report to the Town Board for approval, and,

**WHEREAS**, the public was the given the opportunity to provide input and comments at public meetings scheduled on September 25, 2006 and December 11, 2006 and,

**WHEREAS**, the Town of Chili accepted public comments on the update between December 18, 2006 and January 3, 2007, and,

**WHEREAS**, the Town of Chili held a public hearing on February 7th, 2007 for the purpose of reviewing the final Parks and Recreation Master Plan document and SEQR documents,

**WHEREAS**, all comments and suggestion where reviewed and considered for implementation into the Parks and Recreation Master Plan Update,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby accepts the Parks & Recreation Master Plan Committee's Five Year Master Plan Report for March 2007 – January 2010 as submitted, and,

**BE IT FURTHER RESOLVED** that it be adopted as an amendment to the 2010 Town of Chili Comprehensive Master Plan, and the Town Board thanks the members for their hard work and dedication developing this report.

Amendment:

OFFERED BY: Councilman Schulmerich

SECONDED BY: Councilwoman Sperr

**WHEREAS**, the Parks & Recreation Master Plan Committee was established by the Town Board Resolution #155 (May 3, 2006), and charged with developing a five-year master plan for the continuing

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development of our parks and recreation program, and,

**WHEREAS**, appointed by Town Board Resolution #170 (June 7, 2006) the following committee members, Michael Curley, Keith Bozek, Daniel Maffett, Linda Palmeri, Jason Becker, James Powers, Gary Lawniczak, Pat Tindale, Barbara Denigris, along with Councilman Dennis Schulmerich have submitted their report to the Town Board for approval, and,

**WHEREAS**, the public was the given the opportunity to provide input and comments at public meetings scheduled on September 25, 2006 and December 11, 2006 and,

**WHEREAS**, the Town of Chili accepted public comments on the update between December 18, 2006 and January 3, 2007, and,

**WHEREAS**, the Town of Chili held a public hearing on February 7th, 2007 for the purpose of reviewing the final Parks and Recreation Master Plan document and SEQR documents,

**WHEREAS**, all comments and suggestion where reviewed and considered for implementation into the Parks and Recreation Master Plan Update,

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board hereby accepts the Parks & Recreation Master Plan Committee's Five Year Master Plan Report for March 2007 – January 2010 as submitted with amendments, and,

**BE IT FURTHER RESOLVED** that it be adopted as an amendment to the 2010 Town of Chili Comprehensive Master Plan, and the Town Board thanks the members for their hard work and dedication developing this report.

On the amendment: UNANIMOUSLY APPROVED

On the original resolution as amended: UNANIMOUSLY APPROVED

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**RESOLUTION #130 RE: Planning Board Consultant**

**OFFERED BY: Councilman Schulmerich      SECONDED BY: Councilwoman Ignatowski**

**WHEREAS**, the Planning Board is currently reviewing applications by Metalico Rochester, Inc. for a mechanical metal shredder at its Scottsville Road location. The Planning Board has declared itself Lead Agency under the SEQR Review Process and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Planning Board is requesting the Town Board pass a resolution that F-E-S Associates be retained at a rate not to exceed \$125.00 per hour, to provide environmental consulting services to the Planning Board so it can effectively discharge its responsibilities under SEQR. Metalico has agreed to reimburse the Town once the process is completed.

UNANIMOUSLY APPROVED

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**RESOLUTION #131 RE: 2007 New York Recreation and Park Society  
Annual Conference**

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

**BE IT RESOLVED** that Michael Curley, Director of Parks and Recreation is hereby authorized to

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attend the 2007 New York Recreation and Park Society Annual Conference in Buffalo, NY to be held April 22-25 at a cost not to exceed \$625.00 plus mileage to be paid from account A7020.4 (Recreation Administration-Contractual).

UNANIMOUSLY APPROVED

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**RESOLUTION #132 RE: RE: Clerk IV Part-Time (Receptionist)**

**OFFERED BY: Councilwoman Ignatowski      SECONDED BY: Councilman Schulmerich**

**BE IT RESOLVED** that Debi Altemari shall be appointed as Clerk IV, Part-time and paid an hourly rate of \$8.70 effective March 8, 2007, not to exceed 20 hours per week; to be paid from account A1650.1 (Central Communications – Personnel).

UNANIMOUSLY APPROVED

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TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Yes. Dianne (O'Meara), any of these individuals, do they already have time with Government?

SUPERVISOR LOGEL: No.

COUNCILMAN SLATTERY: Thank you, Dianne (O'Meara).

She answered. I directed the question to her.

SUPERVISOR LOGEL: Actually, I want to say one thing. We were very, very fortunate -- Mr. Brongo can confirm this. These were very highly qualified people, and we have recently had notice from a couple of our people on our substitute list that they will no longer be able to work as substitutes because of health reasons and family reasons, so we have been really scrambling.

COUNCILMAN SLATTERY: Do they need to resign?

SUPERVISOR LOGEL: That's what I --

RICHARD BRONGO: Actually, well --

SUPERVISOR LOGEL: Has --

RICHARD BRONGO: Jill not formally, but she just says, "Don't call me any more."

RICHARD STOWE: The answer is no.

COUNCILMAN SLATTERY: Thank you, Richard (Stowe).

RICHARD STOWE: It's a list of available substitutes. If they ask to be taken off the list, we don't need a formal letter of resignation. There isn't a finite number of substitutions we can have.

COUNCILWOMAN SPERR: Don't need to pass a resolution like the Fire Department to take them off a list, do we?

RICHARD STOWE: No.

**RESOLUTION #133 RE: Clerk IV Part-Time (Substitutes)**

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

**BE IT RESOLVED** that the following individuals be appointed substitute part-time Clerk Typists/Switchboard Operators for the year 2007, and shall be paid at the rate of \$8.00 per hour effective March 8, 2007; expenses to be paid by voucher as incurred.

June Lintz, Priscilla Onthank, Patricia Serio, Catherine Talbott

UNANIMOUSLY APPROVED

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**RESOLUTION #134 RE: Set Public Hearing to consider adoption of Local Law #1 of 2007 to add Chapter 487 to the Code of the Town of Chili entitled "Wood Burning Furnaces, Outdoor"**

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

**BE IT RESOLVED** that a Public Hearing be Set for April 4, 2007 at 7:00 PM to consider the adoption of Local Law #1 of 2007 to add Chapter 487 to the Code of the Town of Chili entitled "Wood Burning Furnaces, Outdoor"; and

**BE IT FURTHER RESOLVED** that the Town Board hereby declares itself lead agency for the SEQRA review purposes and directs the Town Clerk to send notification of such designation to all affected agencies.

UNANIMOUSLY APPROVED

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**RESOLUTION #135 RE: Set a Public Hearing to consider adoption of Local Law #2 of 2007 to add Chapter 210 to the Code of the Town of Chili entitled "Construction Codes"**

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

**BE IT RESOLVED** that a Public Hearing be Set for April 4, 2007 at 7:00 PM to consider the adoption of Local Law #2 of 2007 to add Chapter 210 to the Code of the Town of Chili entitled "Construction Codes; and

**BE IT FURTHER RESOLVED** that the Town Board hereby declares itself lead agency for the SEQRA review purposes and directs the Town Clerk to send notification of such designation to all affected agencies.

UNANIMOUSLY APPROVED

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

COUNCILMAN SLATTERY: Question. Dianne (O'Meara), why are we moving that? Why do we have to transfer that money?

DIANNE O'MEARA: Um, it's my understanding -- currently -- under the current budget, for Planning Clerk, is under the engineering budget. And with Jeron Rogers' resigning, and it's my understanding that he wasn't -- it wasn't planned to replace a Town Engineer.

COUNCILMAN SLATTERY: Okay.

DIANNE O'MEARA: Putting the Planning Clerk back under the Building Department.

COUNCILMAN SLATTERY: Has that been determined? Has that been determined yet, or is that an assumption that that is going to take place?

DIANNE O'MEARA: Well, it's been my understanding with discussions at the Town Board.

COUNCILMAN SLATTERY: And the advertisement for that position and so forth.

DIANNE O'MEARA: Right.

COUNCILMAN SLATTERY: But as you know, we have been going on for two years trying to figure out what we're going to do. Okay. Thank you, Dianne (O'Meara).

**RESOLUTION #136 RE: Budget Transfer**



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Highway Fund	\$ 87,462.70
H32 Union Station Park	\$ 8,000.00
H43 Annual 2006-7 Reassessment	\$ 2,239.34
Consolidated Drainage	\$ 1,858.88
Park Place Sidewalk	\$ 2,932.38
Special Light Districts	\$ <u>20.00</u>
Total for Abstract	\$156,053.73

UNANIMOUSLY APPROVED

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TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

SUPERVISOR LOGEL: There was a question again regarding the attorneys fees.

COUNCILWOMAN IGNATOWSKI: It was just the total amount then. I just -- I am just noticing the -- the Harris Beach, about the Ballantyne. I was just wondering at what point in time the Board was going to be apprised as to what the latest developments were on that. About the Ballantyne development, page 3. That -- it has been a while since we have been updated on what is occurring in that situation. I recognize it cannot be done out here.

SUPERVISOR LOGEL: Well, I -- I haven't been apprised of anything at this point that I can --

COUNCILMAN SLATTERY: We have a 2 percent discount.

COUNCILMAN SCHULMERICH: Always not a good thing to start getting volume discounts.

COUNCILWOMAN IGNATOWSKI: Then on page 4, for the Department of Public Works General Fund, it shows a year-to-date amount of zero, annual budget amount is 600 and total is 898.15. Something --

DIANNE O'MEARA: That's pretty good, isn't it?

The 898.15 is actually set up as a payable in 2006. It was a 2006, um, transaction, so it is going to show on the financials on 2006. And it is reversed out in January. So in other words, it's -- we're paying it now, but it is actually a 2006 budget expense.

COUNCILWOMAN IGNATOWSKI: I was just trying to figure out how 898 equals zero. Okay.

**RESOLUTION #138 RE: March 7, 2007 Abstract**

**OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski**

**WHEREAS**, January 3, 2007 Resolution #1 authorized vouchers to be paid February 21, 2007 by all Council signing a waiver form; and

**BE IT RESOLVED** to pay vouchers 780-969 totaling \$199,588.47 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund	\$ 82,857.54
Highway Fund	\$105,329.24
Consolidated Drainage	\$ 38.24
Special Light Districts	\$ <u>11,363.45</u>
TOTAL	\$199,588.47

APPROVED BY A VOTE OF 4 YES TO 1 NO (Councilman Slattery voted no.)

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COUNCILMAN SLATTERY: I would like to propose Resolution 139, as submitted to the Town Board Supervisor. Regarding the -- "Whereas, the Town Board believes in light of the recent public confusion over what the future land use recommendations are for the Town" -- I can make -- I

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can have a copy given to Sandy (Hewlett) if you would like in regards to this so she would have the wording. This is -- this is in regards to the future land use maps and so forth. The GIS coloring mapping. I would like to move it.

COUNCILWOMAN IGNATOWSKI: I will second it. But this -- it was tabled at the last meeting or did we have --

RICHARD STOWE: It was tabled.

SUPERVISOR LOGEL: So we had a number.

COUNCILMAN SLATTERY: I don't believe you gave it a number. You went right from where you were at the last meeting until where --

SUPERVISOR LOGEL: Just give it 139.

COUNCILWOMAN IGNATOWSKI: I will second it.

There was discussion it was numbered 122 previously.

COUNCILWOMAN IGNATOWSKI: This is going to be different than the 122 there that night.

COUNCILMAN SLATTERY: We need to modify it.

RICHARD STOWE: Without getting too terribly technical, you ought to move to take 122 off the table.

COUNCILMAN SLATTERY: Okay. If you want to proceed with it, and then do whatever you want to do with it, as a discussion of 122 being removed from the table.

COUNCILWOMAN IGNATOWSKI: Move to take 122 off the table.

COUNCILMAN SLATTERY: I second it.

SUPERVISOR LOGEL: I will reverse what I wrote before.

The Board was unanimously in favor of the motion to remove the resolution off the table.

SUPERVISOR LOGEL: Resolution 122.

COUNCILWOMAN IGNATOWSKI: That is the old one. Did you want to move and second it for the -- to amend 122?

RICHARD STOWE: Councilman Slattery and Councilwoman Ignatowski.

COUNCILWOMAN IGNATOWSKI: They moved it before to amend to read as what we have right here. It was in the mail box.

SUPERVISOR LOGEL: Mr. Stowe, gave it to us --

COUNCILMAN SCHULMERICH: I picked up my mail last night.

There was discussion about what they received in the mail.

COUNCILMAN SCHULMERICH: So we missed by minutes.

SUPERVISOR LOGEL: It is part of the RLB.

Dawn (Forte), I asked you to get that in all our boxes and you did. The RLB letter, yesterday?

DAWN FORTE: Yes. It was sent in interdepartment envelopes with all your names.

COUNCILMAN SCHULMERICH: I understand. I picked up my mail yesterday and must have picked it up before you put it in the box. No big deal.

MR. BRIXNER: I would like to ask why 122 did not get on tonight's agenda as Old Business.

SUPERVISOR LOGEL: Mr. Brixner, please.

MR. BRIXNER: Would you care to answer why 122 did not get on tonight's agenda as Old Business?

SUPERVISOR LOGEL: The only reason -- the reason -- one of the reasons why it didn't go on the agenda is because this was given to us late yesterday afternoon from Mr. Stowe's office. He faxed it over because he had just gotten it put together, and sent it over to our office and the agenda was done at that point. Number one.

And number two, it could be brought up from the floor, and I have some serious concerns that -- about doing it this way. I would like to say that I was concerned as soon as I read the RLB letter first

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off. We hired -- not we. But the Town Board at the time hired RLB to do this work and they paid for it, and I believe that they should make these corrections based on the amount of money that they paid -- they were paid by the Town Board and by the -- out of taxpayer funds when they did it before.

If you buy a house, or you buy a product, you expect to have it completed. It has three discrepancies in it, very obvious discrepancies and I don't understand why they aren't doing the work for the money that they were paid before.

And I asked Mrs. O'Meara to do some research, and Mr. Brongo today, to do some research on how much money was actually spent out to get this, and -- because I think when you pay for a product, that you should get a finished product. And if it's got discrepancies, you should come back and fix it. I think RLB should say, "We screwed up, we have got three areas of conflict, and therefore, we will come back and we will fix it."

They have done work for the Town as far back as I can remember 1988 and 1987.

The other question I had was that one of the things that Mrs. O'Meara found today when she was researching abstracts is that on May 2nd, 2001, we paid him \$150 for copies for the future land use plan maps, so he must have these originals somewhere, because he received an actual payment voucher from us or a check from us for \$150 for copies of a future land use plan map. Where are those? Can he provide us with -- if he is going to go back and fix this now, he needs to come in, he needs to pull up all of the files. He needs to do all of the interviews he had with the public, all of the public hearings that were held, all of the informational sessions, all of the minutes of the meetings and put it all together and to be able to produce that and fix what the errors are in this -- in this report.

And he wrote a letter, a cover letter. I read the cover letter, and I thought oh, my God, here he is making -- this company is making another mistake. They say, and I quote, "At the time of the plan's adoption in 2002, there were no Planned Neighborhood Overlay District PNOD designation. Since then there are at least two areas that have been rezoned to the PNOD designation. One is the Easton property located in the triangle formed along Chili Avenue, Ballantyne Road and the Old Chili Scottsville Road." Excuse me. Ballantyne Road ends over there (indicating). Old Chili Scottsville Road is over there (indicating) and the triangle is over here (indicating). So he doesn't even in this letter reference the correct location for a piece of property.

I then checked with the Building Department, and the Building Department has not got -- there was never a rezone. There was a discussion, but there was never a rezone of the Easton property. So there are -- right there are two erroneous statements in this. So I feel he needs to come back and fix this at no additional cost to the Town.

What this resolution tonight is, is to hire him for \$3,000 to go out and do an RFP for us to do the mapping. How can they do the mapping if they haven't fixed the verbiage correctly? How can they do the mapping? If we are capable of going out with an RFP a -- I think we should, we as a Town Board, as a responsible Board hiring a complete, independent outside unbiased group to take a look at this and fix this thing the way it should be fixed, or have him fix it at no cost to the Town. I just have a real problem with the discrepancies. Yes, they did rezone one. It was 741 Paul Road and only one, not two, was rezoned, and I checked this extensively with Kathy Reed and the Building Department. Um, I think that we have a problem here. And we have a problem with the fact that if you buy a product, you expect the product to be finished and it's only \$3,000 that he's asking for. I think he should fix it without additional cost to you.

COUNCILWOMAN SPERR: Are you finished?

SUPERVISOR LOGEL: I'm not finished, but I will yield.

COUNCILWOMAN SPERR: I have a couple of comments I would like to weigh in on. In the first place, at our last Town Board meeting, you discredited Mr. Brand, who is highly respected in his field, by the comments that you made about the way he does his work.

And -- I listened to you, Supervisor. Please listen. I'm sure several other Council members have comments they would like to make.

When Mr. Brand was hired to do these -- this Master Plan, it did not include as part of his fee -- and if you work for an engineering firm or a consulting firm you understand how these are worked -- he was not contracted to provide color maps. When the color maps were created, that started to create some of the problems that we had. He is not responsible for the -- for the mistakes on these maps. I will let you weigh in further if you would like.

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COUNCILWOMAN IGNATOWSKI: The -- it was my understanding, as well, to reduce the cost at the time of the last Master Plan when that was adopted, they did not include in there the maps and that was what was -- created the whole issue, is that the maps were produced by other people other than the person who wrote down the Master Plan. That is all we're trying to accomplish right now, is to have the individual who dealt with the words -- it is my understanding that we're not changing the words. We're just trying to get the maps produced. We're not changing the text. Just getting the maps produced to match the words.

SUPERVISOR LOGEL: The abstract Dianne (O'Meara) found, May 2nd, 2001, he was paid \$150 for copies of the future land use plan maps.

COUNCILWOMAN SPERR: I can't speak to that. That doesn't have anything to do with the discussion we have here. But the intent of this resolution in our -- and our thoughts here is to hire the consultant who has all of the background data to use in order to straighten this mess out. And what does everyone think it will cost you to hire someone totally new separate from him, because you don't seem to like Mr. Brand, to come in and redo it? So you have a personal -- a personal opinion, and for some reason, you don't like Mr. Brand and that has tainted your comments that you have made tonight.

I, for one, am not interested in bringing in a separate firm. I want the person who sat there through all of the discussions and knows the intent of the Master Plan and is familiar with it to come in and finish what he started and help us fix this. We created this problem ourselves, and I would like to get it satisfied -- get it straightened out and get --

SUPERVISOR LOGEL: I don't understand how you create the situation yourselves with the -- with --

COUNCILWOMAN SPERR: Not me personally, but the Town did when they -- when they created those GIS maps. Inexperienced, used the GIS for the first time and put the wrong maps out. Then we published those.

SUPERVISOR LOGEL: What year was that, please?

COUNCILWOMAN SPERR: I don't remember exactly what year it was. When did we get the color maps? Shortly after the Master Plan was adopted.

COUNCILWOMAN IGNATOWSKI: I wasn't on the Board. The -- 2002 I think was the -- one of the first ones, and the ones that went on line were 2003 or 2004, or something like that.

SUPERVISOR LOGEL: Well, I still contend that he -- that if you make -- if you have three sections in there with discrepancies and you make maps, you need to correct those discrepancies before you make the maps.

COUNCILWOMAN IGNATOWSKI: I don't see the discrepancies in the verbiage. Perhaps you have areas in the text that are a little more vague than other areas that give it more clarification, but I don't -- I don't personally see them as being a discrepancy. If you want to try to interpret it that way, I --

SUPERVISOR LOGEL: I am only quoting back your own comments about a year ago or a half year ago when you said there were three places that there -- there were complete discrepancies and we gave it to Mr. Levey to completely research it and he researched it and said there were three areas of discrepancies.

COUNCILMAN SLATTERY: The only discrepancy is in the report that you had a former employee write that was tainted in a very awkward position for the Town.

SUPERVISOR LOGEL: Michael (Slattery), that is an unnecessary accusation. I -- I did not taint anything.

COUNCILMAN SLATTERY: I'm saying the report was tainted in the way that it was written. It was misinformation. At one point it's saying a piece of land is one zone, and then another -- the same piece of land -- the wording, obviously we need to clear it up.

Supervisor, I'm open to suggestion from you on how you would like to proceed. Nothing was being done. That is why I brought a resolution forward. If you have a solution to this problem, I'm all ears. I'm more than happy --

SUPERVISOR LOGEL: I would love to see this solution solved so we can see what the Master Plan is supposed to look like, but I -- but I would like to see it done -- I just don't see an additional fee being paid to this gentleman who didn't complete it correctly the first time and who must have these boxes of files and research and work that he can produce to fix this.

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COUNCILMAN SLATTERY: Have you talked to him personally in regards to this?

SUPERVISOR LOGEL: No, I have not. You were with him in New York City for a very extensive time, so I am sure he explained it to you.

COUNCILMAN SLATTERY: Now, there is an accusation.

COUNCILWOMAN SPERR: Can we get off this topic and move forward with the resolution? It's the last one of the night and I'm anxious to get this started.

SUPERVISOR LOGEL: Whatever. I just wanted to make my statements why I'm very uncomfortable hiring this company to complete this, and I would like to have assurances that this time it will be completed correctly and done and there will not be any further discussion of discrepancies because without throwing, as you said, this person under the bus, um, there are reasons for --

COUNCILWOMAN SPERR: We didn't. You did.

SUPERVISOR LOGEL: I did. And there is reasons for that. Because this has happened repeatedly.

COUNCILWOMAN SPERR: I don't think we need to continue on this dialogue, so let's move on with the resolution. You have already made your statements and I don't have any further desire to listen to anything further criticizing the previous --

SUPERVISOR LOGEL: Fine. He didn't do it right.

COUNCILWOMAN SPERR: Did you have amendments to this, Michael (Slattery), or --

COUNCILMAN SLATTERY: No. As submitted to the Board.

SUPERVISOR LOGEL: So this is a resolution to be amended. You got to know the difference -- you know, you want to just substitute this?

COUNCILMAN SLATTERY: Yes.

SUPERVISOR LOGEL: So you're going to hire someone for \$3,000 -- you will hire RLB for \$3,000 to go out and hire somebody to do our mapping.

COUNCILMAN SLATTERY: Supervisor, no matter how you're going to come out in the public right now because you're on camera trying to make us look bad --

SUPERVISOR LOGEL: I am not trying to make you look bad. Michael, you are an expert at that. Let's just go ahead and do this.

COUNCILWOMAN SPERR: RLB will make sure this is researched and the appropriate solution is correct and --

SUPERVISOR LOGEL: We can't --

COUNCILWOMAN SPERR: Excuse me. Excuse me. We will put an RFP out to hire someone to produce the maps, and while we're in the process of doing that, since to produce one map, it -- it doesn't cost that much more for the effort to get 12. We're going to correct all our maps at the same time. And if it is possible to fit this in with the same price, I had made a suggestion at the last meeting that we may include an ortho photo, but that is up to them to fit it in with their fee.

COUNCILWOMAN IGNATOWSKI: I think at this point we're looking to strictly put the maps inside the plan.

COUNCILWOMAN SPERR: Which is also fine with me.

COUNCILWOMAN IGNATOWSKI: We are not changing the text. We are just -- we are just at the point that this document was produced the maps were not also produced with it, by the, um, consultant, and that's all that we're looking for.

COUNCILMAN SLATTERY: And not with crayons.

COUNCILMAN SCHULMERICH: I would like to reaffirm my understanding that the maps we're talking about are all of the maps in the Master Plan, not just the future land use.

COUNCILWOMAN SPERR: Yes.

SUPERVISOR LOGEL: Yes.

COUNCILMAN SCHULMERICH: We're updating all of the maps that currently reside. What we're doing is transcribing the verbiage in the Master Plan into a map, and none of the existing maps as they reside in the current Master Plan will have a bearing on the outcome of the new maps. It is the verbiage that we'll be focusing on, and the reason that Mr. Brand is the candidate of choice for this is because of his experience in having worked with the Master Plan and all of the boxes of material he would have in his possession as opposed to someone else coming up a learning curve.

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And finally, my understanding is that he was not compensated for in the 2002 time frame for the production of color maps, so we would not have expected that as an output from his work at that point in time. Are those fair interpretations?

COUNCILWOMAN SPERR: That's my understanding.

COUNCILMAN SLATTERY: Also refer to Counsel who has knowledge and possibly some input into this.

RICHARD STOWE: Okay. This resolution was tabled at the last meeting, and a quick review of the minutes will indicate that I was asked to consult with Ron Brand --

COUNCILMAN SLATTERY: Which is correct.

RICHARD STOWE: -- regarding the resolution and where we -- where we are, and where it was my understanding the -- the resolution wanted to take us. The -- the letter that Ron (Brand) addressed to me, I assured him I would share with the Board, and I have. In it, after he reviewed Mr. Rogers' report, that he didn't have prior to that, and he looked at some of the issues associated with text that could be interpreted different ways, he attempts to explain how events since 2002 have changed what the maps would show today.

I'm uncomfortable with everybody's summary of what Mr. Brand is intending to do, because its at variance with what he intends to do, according to his letter.

COUNCILWOMAN SPERR: We're reading the letter as we sit here, Rich (Stowe).

RICHARD STOWE: I'm not being critical. I'm just making sure that you understand I'm not comfortable, okay? He is producing GIS maps. To the best of my knowledge, no GIS maps were requested to be produced at the time the 2010 Master Plan Update document was produced. I don't believe he was asked to do it. I don't believe he was supposed to do it and didn't do it. I don't believe it was in the budget to be done, but that's my recollection. He recommended it, and it wasn't done, according to his conversation with me.

The other thing that the letter says is that there have been some Overlay District rezonings, most recently I think the Paul Road rezoning that brought this into question that could not have been shown on the maps were they to have been produced when the plan document was adopted. They weren't there yet. The language that people have looked at, according to his letter -- this is not me. This is him. The language could be interpreted to say that that zoning classification with PNOD overlays was how that was intended to evolve, and it, in fact, did in a couple of instances. His recommendation in this letter is to have the maps show what exists today after he consults with Dick (Brongo) on the rezonings that have occurred so that we don't end up in the same situation where the maps aren't current.

COUNCILWOMAN IGNATOWSKI: That would just be the one map that we show current zoning as of today. Because that would not be -- the future land use map is only going to be reflective of what the -- what the verbiage has to say. But I see what you're saying about as far as what some of the other maps -- say where water lines are, they may have been -- there might have been some extension since 2002, so that the current water lines, um -- there might be more. There might be more facilities that may have existed since this was adopted in 2002. So the question then begs itself, do you sit there and say no, it only should be reflective of where it was when this was adopted in 2002; we should not incorporate anything that has existed since?

RICHARD STOWE: We're going to go through a public hearing in order to modify the Master Plan to include the new maps. That can -- that's a step that cannot be avoided.

COUNCILMAN SCHULMERICH: Whether they reflect 2002 or what has transpired?

RICHARD STOWE: His recommendation, in this letter --

COUNCILWOMAN SPERR: Make them reflect today.

RICHARD STOWE: -- is to incorporate those things, note what has changed, note when it changed, admit that it wasn't in effect in 2002, and have a document that is worthwhile and attempts to get you from where we are -- where we were to where we are.

COUNCILWOMAN IGNATOWSKI: I think perhaps in anticipation that this document is only the 2010, we're going to be looking at having to do a full-blown Master Plan Update.

RICHARD STOWE: He says that in the letter, too.

COUNCILWOMAN IGNATOWSKI: So that this would then just bring us that -- a step closer when we do that process.

RICHARD STOWE: Please. I'm not advocating that this Board do this or do not do this.

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That's your call. I am explaining when the ball was thrown to me what I did, why I did what I did, and what I believe to be what his letter attempts to address in response to my attempt to take what I thought was the Board's concerns about some sensitive areas and where we were and how we got from where we were when we adopted this to meaningful maps and he had to adjust his proposal. Whether that is worthy of this Board's consideration or not, is your call.

COUNCILWOMAN IGNATOWSKI: So my understanding is, the future land use map will be just reflected about what the verbiage is in the Master Plan. The current -- whatever, existing maps of whatever is currently existing now will be --

RICHARD STOWE: Ginny (Ignatowski), I can't say that. I can't say that.

COUNCILWOMAN IGNATOWSKI: Okay.

RICHARD STOWE: I'm not trying to be flip. I think if it isn't, it will be on purpose, and it will be because of what was shown and explained to you as part of the process he is going to go through. If you don't like it, I don't think you have to agree with it.

COUNCILWOMAN IGNATOWSKI: Just called --

RICHARD STOWE: As long as it is called out. Absolutely.

COUNCILWOMAN IGNATOWSKI: That is -- was a current condition back then. Now this is the current condition here. Here's the changes.

RICHARD STOWE: The other thing I will share with you is what I shared with him when he brought that up, I am sure we had other map amendments, and I told Mr. Brand that this Board had recently at Dick (Brongo)'s suggestion gone through and adopted and updated a current zoning map after extensive review of all of the resolutions that have been prepared, and in his letter he says he wants to talk to Dick (Brongo) and be able -- that's part of his proposal, to be able to look at that, and if it's the Board's wish, I'm sure he would meet with you and explain to you exactly what he's proposing, why, how that may or may not be incorporated and how it may or may not be meaningful for a current land use, for a current zoning map in the Master Plan document. And you can have two. You could have 2002 and 2007, I suppose. But that -- I'm going to leave all that to him. That's the nature of the conversation.

COUNCILWOMAN SPERR: That's why we're going to hire him.

SUPERVISOR LOGEL: I ask a question on this. He is going to take the 12 maps that are contained in the adopted plan. Now, what are those 12 maps?

COUNCILWOMAN IGNATOWSKI: I don't have that with me right now. There's things like, um --

COUNCILMAN SCHULMERICH: Conservation. Parks and recreation. Drainage. Open space. Um, I'm giving examples.

SUPERVISOR LOGEL: They're in there now.

COUNCILMAN SCHULMERICH: Any section that has a map associated with it, that is currently in black and white.

SUPERVISOR LOGEL: The black and white maps will go to the GIS.

COUNCILMAN SCHULMERICH: Would be updated to current -- would be updated to current state.

COUNCILWOMAN IGNATOWSKI: He would show what the old one was. Since 2002, we have a new park like Union Station. I'm just throwing that out there. That now would be reflected on that. This was the old 2002. Now the existing conditions, this year has an additional park.

RICHARD STOWE: I'm not speaking for it. We had a specific conversation about the zoning changes, and being able to show those things that were different from when it was adopted. I did not have a conversation with him, and I don't want to mislead you about showing every one of those maps in 2002 and 2007. In my heart, I don't think he can do that for this.

COUNCILWOMAN SPERR: We're not asking him to redo everything. We're just --

COUNCILWOMAN IGNATOWSKI: Our intent was to get the future land use map straightened out.

RICHARD STOWE: I know.

COUNCILWOMAN IGNATOWSKI: That's what our intent was.

RICHARD STOWE: I know. I'm not trying to be flip about this. My concern was that your comments were attempting to set parameters for just 2002, and when it was adopted. And if you read

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his letter, I don't think that's what he is talking about. I think he's willing to do more and explain to you.

COUNCILMAN SLATTERY: That's why he is going to meet with Rich (Stowe) more.

RICHARD STOWE: Explain more and go through it. But I think the Board needs to be clear about what it wants him to do, and if you're not comfortable with the parameters of the proposal, you know, bring him in, talk to him, do what you want to do. I didn't feel comfortable negotiating this whole thing. I was only attempting to clarify. That's all I'm saying.

COUNCILWOMAN SPERR: I'm all set.

SUPERVISOR LOGEL: So you have a verbiage for 2002, but the maps will be in 2007.

COUNCILWOMAN SPERR: No. They will be 2002, with what changed between now and 2007.

RICHARD STOWE: I believe that is more accurate, what he is saying.

SUPERVISOR LOGEL: It will state that on each one.

RICHARD STOWE: I don't think he can do it any other way.

COUNCILMAN SCHULMERICH: So -- so the -- so clarify or to correct my earlier interpretation, it will be 2002 with a call-out as the changes have occurred since 2002 to 2007.

RICHARD STOWE: I believe that's his intent.

COUNCILMAN SCHULMERICH: Okay. That's fair. That's fair.

RICHARD STOWE: I also want to state that I had a couple of conversations with Joe Carr, who was concerned about how that was going to get taken from where we were to where we are, and I have not had the opportunity, and Joe (Carr) has not been here, to share this data with him since -- he --

COUNCILMAN SCHULMERICH: He was interested in being able to get from where we were to where we are.

RICHARD STOWE: Yes. And he was concerned about the inconsistencies associated with this. And I think -- I think this address --

COUNCILWOMAN SPERR: This will address it.

RICHARD STOWE: I think it does, but I don't know. You just should be aware of that.

COUNCILMAN SLATTERY: Also, I had conversation with Chris Levey who was pleased to see that we're addressing this because of the position that he's been in trying to --

RICHARD STOWE: Understood.

COUNCILWOMAN SPERR: Are we ready to move here?

**BE IT RESOLVED** to remove from the table Resolution #122 which was tabled from the February 7, 2007 Town Board meeting.

**OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery**  
On the motion to remove Resolution #122 from the table: UNANIMOUSLY APPROVED

**RESOLUTION #122 RE: Provide Up-to-date Color Mapping For The Town of Chili  
Comprehensive Plan - 2010**

**Offered by: Councilman Slattery**

**Seconded by: Councilwoman Ignatowski**

**WHEREAS**, the Town Board believes that in light of the recent confusion over what the future land use recommendations are for the Town that it is in the best interests of the Town to have GIS color mapping prepared for placement in the adopted Town of Chili Comprehensive Plan - 2010 and also to be placed on the Town's Website; and

**WHEREAS**, the Town Board further believes that such mapping should be coordinated by a knowledgeable planning professional familiar with the mapping contained in the adopted Town of Chili Comprehensive Plan - 2010; and

**WHEREAS**, the Town Board desires to know the costs (which is estimated to be \$6,500.00)

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associated with providing a total of 12 GIS Color Maps, for the adopted Town of Chili Comprehensive Plan - 2010.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby direct the Town Supervisor to enter into a contractual agreement with the RLB Planning Group, in an amount not to exceed \$1,500.00 to coordinate the solicitation of services for the preparation of a total of 12 GIS color maps to be reviewed by and accepted by the Town Board and Town Engineer.

**BE IT FURTHER RESOLVED** that the above-referenced agreement specify that upon a Town Board decision, to be made at a future date, that per recommendation from the RLB Planning Group, for the preparation of 12 GIS color maps (from the adopted Plan).

**BE IT FINALLY RESOLVED** that the RLB Planning Group is directed to commence work on this assignment within 30 days of this authorization to proceed.

Substituted Resolution:

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

**RESOLUTION #122 RE: Provide Up-to-date Color Mapping For The Town of Chili Comprehensive Plan - 2010**

**Offered by: Councilman Slattery                      Seconded by: Councilwoman Ignatowski**

**WHEREAS**, the Town Board believes that in light of the recent confusion over what the future land use recommendations are for the Town, as depicted in Figures 1-1 and 5-1 of the adopted Town of Chili Comprehensive Plan - 2010, that it is in the best interests of the Town to have GIS color mapping prepared for placement in the adopted Town of Chili Comprehensive Plan - 2010 and also to be placed on the Town's Website; and

**WHEREAS**, said mapping is in need of updating to reflect all overlay district rezoning that has occurred since the Plan maps were prepared in 2002; and

**WHEREAS**, the Town Board further believes that such mapping should be coordinated by a knowledgeable planning professional familiar with the mapping contained in the adopted Town of Chili Comprehensive Plan - 2010; and

**WHEREAS**, the Town Board desires to know the costs associated with providing a total of 12 GIS Color Maps, for the adopted Town of Chili Comprehensive Plan - 2010.

**NOW, THEREFORE, BE IT RESOLVED** that the Town Board does hereby direct the Town Supervisor to enter into a contractual agreement with the RLB Planning Group, in an amount not to exceed \$3,000.00 to coordinate the solicitation of services for the preparation of a total of 12 GIS color maps to be reviewed by and accepted by the Town Board; coordinate the mapping of the 12 maps for inserting in the Comprehensive Plan; and to provide direction to the Town Board for formally amending the Plan document, including County Planning referral and SEQR determination.

**BE IT FURTHER RESOLVED** that the above-referenced agreement specify that upon a Town Board decision, to be made at a future date, that per recommendation from the RLB Planning Group, for the preparation of 12 GIS color maps (from the adopted Plan).

**BE IT FINALLY RESOLVED** that the Town Supervisor is hereby directed to give written notice to the RLB Planning Group to commence work on this assignment within 30 days of this authorization to proceed.

CHILI TOWN BOARD MEETING - March 7, 2007

UNANIMOUSLY APPROVED

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The next meeting of the Chili Town Board is scheduled for Wednesday, March 21, 2007 at 7:00 p.m. at the Chili Town Hall meeting room.

The meeting was adjourned at 9:40 p.m.