

Chili Town Board Meeting

April 12, 2017

Agenda

A. Call to Order

B. Invocation

Pledge of Allegiance

C. Roll Call

Councilman	<b>Mark L. DeCory</b>	_____
Councilwoman	<b>Mary C. Sperr</b>	_____
Councilman	<b>Michael S. Slattery</b>	_____
Councilman	<b>Jordon I. Brown</b>	_____
Supervisor	<b>David J. Dunning</b>	_____

D. Officials/Advisors:

Town Clerk **Virginia Ignatowski**  
 Deputy Town Supervisor **Councilman Slattery**  
 Counsel for the Town **Richard Stowe**  
 Commissioner of Public Works/Superintendent  
 Of Highways **David P. Lindsay, P.E.**  
 Director of Finance **Daniel Knapp**  
 Insurance Counselor **Eric Vail**  
 Supervisor’s Office **Dawn Forte**  
 Stenographer **Sandy Hewlett**

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

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

E. Presentations/announcements:

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

G. Public Forum

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

H. *Matters of the Supervisor* –

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### New Matters:

1. National Day of Prayer – Thursday, May 4, 2017, 7 pm at Calvary Assembly of God.

### Pending Matters:

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

### *Matters of the Town Council –*

### New Matters:

### Pending Matters:

## I. Approval of Minutes – 3/8/2017

### Reports Submitted –

2030 Comprehensive Plan Update Minutes – 2/9/2017

Advanced Payment of Claims – March 2017

Architectural Advisory Committee – 12/13/2017, (No January 2017 or February 2017 Meetings)

Building Department Report – March 2017

Chili Parks & Recreation Minutes – 2/28/2017

Dog Control Reports – March 2017

Drainage Committee Minutes – 10/4/2016 (No Meetings Nov. 2016, Dec. 2016, Jan. 2017, Feb. 2017)

Library Board Minutes – 2/28/2017

Monthly Financial Report – February 2017

Recreation Center Report – March 2017

Senior Center Report – March 2017

Town Clerk Report – March 2017

Zoning Board Minutes – 2/28/2017

## J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification that Andrew Chinappi, Highway Department is retiring effective March 30, 2017.

## K. Pending Business

## L. Old Business

## M. New Business

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**RESOLUTION #136 RE: Senior Center Trust and Agency Account**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

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

**WHEREAS**, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to use additional funds to celebrate the 18<sup>th</sup> birthday of the Senior Center, as well as cover the entire cost of the concert, from said account for the following activity: Marcy Downey, “The Fabulous 50’s” to be held at the Senior Center on Friday, May 26, 2017; amount not exceed \$750.

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**RESOLUTION #137 RE: SEQR Status for Adoption of Local Law#\_\_\_\_\_ of 2017 amending the Code of the Town of Chili to add a new Article VII to Chapter 451 Taxation Entitled “Solar/Wind, Farm Waste Energy Opt Out”**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, that the Town Board classifies the adoption of proposed Local Law #\_\_\_\_\_ of 2017 to be an Unlisted action under the provisions of Section 617.5 of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated thereunder; and

**WHEREAS**, the Town Board has duly reviewed and considered the Short Environmental Assessment Form as well as all the evidence and information obtained at public hearing held on March 8, 2017 at 7:00 p.m. and has given consideration to any comments received from any Agencies and the Board has duly considered the impacts which reasonably may be expected to result from the proposed Action using the criteria set forth in Article 8 of the Environmental Conservation Law, the State Environmental Quality Review Act, and applicable regulations promulgated thereunder ("SEQRA"); and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby confirms its status as lead agency and makes a determination that the above-referenced action will not result in any significant adverse environmental impact; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

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**RESOLUTION #138 RE: ADOPTION OF LOCAL LAW#\_\_\_\_ OF 2017 amending the Code of the Town of Chili to add a new Article VII to Chapter 451 Taxation Entitled “Solar/Wind, Farm Waste Energy Opt Out”**

**OFFERED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_**

**WHEREAS**, a proposed Local Law #\_\_\_\_ of the year 2017 to add and amend a new chapter to the Code of the Town of Chili “Solar/Wind, Farm Waste Energy Opt Out” was introduced to the Town Board of the Town of Chili on the 8<sup>th</sup> day of February 2017; and

**WHEREAS**, at a meeting of the Chili Town Board held at the Town Hall in the Town of Chili, New York on the 8<sup>th</sup> day of March 2017, a public hearing was held at 7:00 p.m. to consider the adoption of a proposed Local Law #\_\_\_\_ of the year 2017 to add and amend a new chapter to the Code of the Town of Chili “Solar/Wind, Farm Waste Energy Opt Out”; and

**NOW, THEREFORE, BE IT RESOLVED**, that Local Law # \_\_\_\_\_ of 2017 is hereby enacted by the Town Board of the Town of Chili, the Town Clerk is hereby directed to notify the required agencies of its enactment.

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**RESOLUTION #139 RE: Set Public Hearing to consider adoption of Local Law #\_\_\_\_ of 2017 amending the Code of the Town of Chili to add new to Chapter 265, Articles 1-5 Entitled “Right to Farm Law”.**

**OFFERED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_**

**WHEREAS**, a Local Law to amend the Town Code and add new to Chapter 265, Articles 1-5, Entitled “Right to Farm Law” has been advanced and introduced; and

**NOW, THEREFORE, BE IT RESOLVED**, that Local Law #\_\_\_\_ of 2017 of the Town of Chili entitled a Local Law amending the Code of the Town of Chili to add new to Chapter 265, Articles 1-5 entitled “Right to Farm Law” is introduced; and

**BE IT FURTHER RESOLVED**, that a Public Hearing is hereby scheduled for May 17, 2017 at 7:00 p.m. at the Town Hall Main Meeting Room, 3333 Chili Avenue, Rochester, NY 14624 to consider the adoption of Local Law #\_\_\_\_ of 2017.

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**RESOLUTION #140 RE: Entertainment Chil-E-Fest**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to sign a contract with Johnny Bauer to provide musical entertainment at the 2017 Chil-E Festival for \$300.00, to be paid from account A7550.4. (Celebrations- Chil E-Fest); and

**BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to sign a contract with The Bad Grampas to provide musical entertainment at the 2017 Chil-E Festival for \$400.00, to be paid from account A7550.4. (Celebrations-Chil E-Fest); and

**BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to sign a contract with JB and Company to provide musical entertainment at the 2017 Chil-E Festival for \$500.00, to be paid from account A7550.4. (Celebrations-Chil E-Fest); and

**BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to sign a contract with Spectra to provide musical entertainment at the 2017 Chil-E Festival for \$400.00, to be paid from account A7550.4. (Celebrations-Chil E-Fest); and

**BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to sign a contract with Mr. Wonderful to provide musical entertainment at the 2017 Chil-E Festival for \$1000.00, to be paid from account A7550.4. (Celebrations-Chil E-Fest); and

**BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to sign a contract with Ruby Shooz to provide musical entertainment at the 2017 Chil-E Festival for \$1500.00, to be paid from account A7550.4. (Celebrations-Chil E-Fest).

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**RESOLUTION #141 RE: SOUND, STAGING, AND LIGHTING For Chil-E Fest**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town intends to provide live entertainment during the 2017 Chil-E Festival to the benefit of residents of the Town; and

**WHEREAS**, Michael Curley, Parks and Recreation Director, has explored various means in which to provide lighting, staging and sound systems; and

**WHEREAS**, two proposals to provide lighting, staging and sound were received from:

Pro Audio Consulting	\$8750.00
Audio Images Sound and Lighting	\$4995.00

**WHEREAS**, Audio Images Sound and Lighting has provided the Town with outstanding service in the past; and

**NOW, THEREFORE, BE IT RESOLVED**, to accept the proposal from Audio Images Sound and Lighting and authorize Supervisor Dunning to sign an agreement in the amount of \$4995.00 to be paid from Account A7550.4. (Celebrations-Chil E-Fest).

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**RESOLUTION #142 RE: Fireworks Chil-E Fest**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town of Chili provides professional fireworks as part of the annual Chil-E Festival for July 4, 2017; and

**WHEREAS**, Young Explosive Corporation has provided the Town with outstanding service at previous Chil-E Festivals; and

**NOW, THEREFORE, BE IT RESOLVED**, that per the recommendation of Michael Curley, Parks and Recreation Director, that Supervisor Dunning is hereby authorized to enter into a contract with Young Explosive Corporation for the provision of a professional fireworks display at the 2017 Chil-E Festival in the amount of \$12000.00 to be paid from Account A7550.4 (Celebrations-Chil E-Fest).

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**RESOLUTION #143 RE: Bike Ride for National Center for Missing & Exploited Children**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the National Center for Missing & Exploited Children has once again asked for the Town's permission to have their May 19, 2017 one hundred mile bike ride come through the Town of Chili on Beahan Road, Paul Road, Scottsville Road, Ballantyne Road, Archer Road, Chili Avenue, Chestnut Ridge Road, Sequoia Drive, Chili Center Coldwater Road, Laredo Drive, Westside Drive, from approximately 8:00 a.m. – 11:30 a.m. to spread the awareness about the plight of missing children and share abduction and exploitation prevention educational materials with children along with raising funds for their agency services; and

**WHEREAS**, they must provide a certificate of insurance naming the Town as an additional insured; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the National Center for Missing & Exploited Children to have their bike ride go through the Town of Chili on Friday, May 19, 2017 provided they notify the Monroe County Sheriff's Office at Zone C, the Chili Fire Department and Ambulance prior to the race; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall send notification of this resolution to the National Center for Missing & Exploited Children.

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**RESOLUTION #144 RE: Chili Fire Department Addition to Active List**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, that the following individual(s) be added to the Chili Fire Department active list effective April 3, 2017 & 11/21/2016:

Blake Herring – 4/3/2017 & James Heydens – 11/21/2016

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**RESOLUTION #145 RE: Chili Fire Department Remove from Active List**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, that the following individual(s) be removed from the Chili Fire Department active list effective April 3 2017:

Matt Parish

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**RESOLUTION #146 RE: Building Department**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT FURTHER**, that TBD shall be appointed provisionally as Planning Clerk, and shall be paid an annual salary of \$30,416.00 (PG 25) effective TBD, expenses to be paid by voucher as incurred, pending background check.

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**RESOLUTION #147 RE: March 15, 2017 Abstract**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, January 4, 2017 Resolution #1 authorized vouchers to be paid March 15, 2017, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 24183, 24193-24213, 24217-24280, 24282-24284, 24287, 24289-24296 totaling \$84,042.38 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record vouchers 24183, 24193-24213, 24217-24280, 24282-24284, 24287, 24289-24296 were paid from the following funds:

General Fund	\$	36,816.44
Highway Fund		40,880.14
Drainage District		702.60
Fire Protection Districts		4,281.00
Private Purpose Trust		1,362.20
Total Abstract	\$	<u>84,042.38</u>

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**RESOLUTION #148 RE: April 5, 2017 Abstract**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, January 4, 2017 Resolution #1 authorized vouchers to be paid April 5, 2017, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 24297-24300, 24304-24305, 24307-24315, 24319-24332, 24337, 24342-24364, 24366-24367, 24369-24372, 24376-24377, 24380, 24382, 24386-24388, 24390-24395, 24397, 24403, 24405, 24410-24414, 24416, 24419-24458, 24471-24473 totaling \$315,137.94 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record vouchers 24297-24300, 24304-24305, 24307-24315, 24319-24332, 24337, 24342-24364, 24366-24367, 24369-24372, 24376-24377, 24380, 24382, 24386-24388, 24390-24395, 24397, 24403, 24405, 24410-24414, 24416, 24419-24458, 24471-24473 were paid from the following funds:

General Fund	\$ 106,016.48
Highway Fund	52,005.20
Library Fund	2,261.90
Drainage District	207.75
Fire Protection Districts	139,039.00
Street Lighting Districts	12,417.21
Sidewalk Districts	3,190.40
Total Abstract	<u>\$ 315,137.94</u>

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The next meeting of the Chili Town Board will be Wednesday, May 17, 2017 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.