

CHILI TOWN BOARD
April 12, 2017

A meeting of the Chili Town Board was held on April 12, 2017 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

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

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

The invocation was given by Virginia Ignatowski.

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. The following speaker addressed the Town Board on various subjects: Christopher McCullough. The Public Forum concluded at 7:06 p.m.

MATTERS OF THE SUPERVISOR:

SUPERVISOR DUNNING: Any questions around conflict of interest I would defer to Counsel. I don't believe there has ever been any conflict of interest in any of that. But I would defer that to Counsel. If there is anything you want to add to that at all, Rich (Stowe), feel free or if --

RICHARD STOWE: Only that in a couple of the items that were mentioned during the Public Forum, there were requests made from Board members about their participation in voting on resolutions, specifically the Lu Engineering contract and on a couple of the other items that were mentioned, particularly with the Article 7 firms and the relationships and employment relationships were disclosed and there was -- it was determined there was no conflict and there were ccc exemptions on various votes where there was or could have been any appearance of conflict of interest. I have nothing to add beyond that.

SUPERVISOR DUNNING: Okay. Then we will go ahead and move right along then.

MATTERS OF THE SUPERVISOR:

1. Recruit NY – CFD – April 29 & 30, 2017 from 11 am – 3pm.

SUPERVISOR DUNNING: I had -- last year I had kind of unique opportunities to share with you, and my opportunity to put on -- on the fire equipment and get fully dressed in complete fire gear and go out and actually try to get my big, old body moving and hook up a firehose to a fire hydrant which turned out to be more of an exercise in -- an exercise more than I expected.

But Recruit New York is going to take place again at the Chili Fire Department. That will be April 29th and 30th. Those run from 11 a.m. to 3 p.m. The purpose of this is to help to recruit new firefighters -- volunteer firefighters for the Chili Fire Department.

So I know they have -- last year they had a lot of activities going on there. The intent is they will have a lot more, a lot going on this year. Certainly I will be out there for a while. But this is happening, I believe, in all four firehouse locations which is Company 1 on Chili Avenue, Company 2 on Union Street, Company 3 on Chili Avenue down near Chestnut and Company 4 which is over on Circle Drive by Jemison over on the eastern portion there, off of Scottsville Road.

So if you're -- if you feel up to it, um, I had a lot of fun. It was a good time. It's a good cause to help them out.

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

SUPERVISOR DUNNING: Also, National Day of Prayer will be Thursday, May 4th. That's at 7 p.m. Will be held at Calvary Assembly of God this year.

As you know, the local -- a lot of the local pastors and priests and ministers and what -- I don't believe we have any synagogues involved, but they come to the National Day of Prayer. A little over an hour event. We have participated in that for many years and it is really a very nice event. That is Thursday, May 4th.

Also coming up in May, on Friday, May 5th, and -- starting Friday, May 5th, starting at 10 a.m. and going on on Saturday and Sunday also from 10 to 5, the Chili Art Group will be here

in this building, in this room with their art show. They have some really great works that these people do. Really impressed with a lot of the stuff they do.

COUNCILWOMAN SPERR: Always good.

SUPERVISOR DUNNING: So they will -- they will be here.

Pending Matters:

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

SUPERVISOR DUNNING: Moving on from there, we still do have vacancies for one permanent and one temporary member on the Board of Assessment Review.

And I will go to matters of the Counsel.

- 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), 3/28/2017

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)

Historic Preservation Board Minutes – 2/13/2017

Library Board Minutes – 2/28/2017

Monthly Financial Report – February 2017, March 2017

Planning Board Minutes – 2/14/2017, (No March Meeting)

Recreation Center Report – March 2017

Senior Center Report – March 2017

Town Clerk Report – March 2017

Zoning Board Minutes – 2/28/2017

CORRESPONDENCE:

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

RESOLUTION #136 RE: Senior Center Trust and Agency Account

OFFERED BY: Councilman Brown

SECONDED BY: Councilwoman Sperr

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

WHEREAS, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to use additional funds to celebrate the 18th 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.

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

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: Maybe you could just briefly explain to everyone what this means. I don't know that -- since we didn't have that many people attending the last Board meeting when we had the Public Hearing you might want to.

SUPERVISOR DUNNING: What this -- this is is the solar wind and farm waste energy -- automatically, if a public utility comes in to develop one of these, whether it's a wind farm, a solar farm or something to do with farm waste and around the energy, they automatically qualify. They automatically qualify for a tax break for doing that.

This opt out says that no, it's our control basically. We're not going to automatically give it to you. It is something that we could if we felt it was something that was beneficial. But it says no, it is not automatic any more. You have to come through us in order to get that tax break. It

takes the automatic part of it out of it.

COUNCILMAN SLATTERY: There -- they're seeing this in other jurisdictions, other municipalities?

SUPERVISOR DUNNING: I believe of the 19 towns and villages --

COUNCILMAN SLATTERY: Just in Monroe County.

SUPERVISOR DUNNING: Yeah. In Monroe County, I believe -- believe almost every one of them have enacted the same legislation.

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: Councilman Slattery SECONDED BY: Councilman DeCory

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.

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

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: Councilman Slattery SECONDED BY: Councilman Brown

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 8th 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 8th 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.

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

RESOLUTION #139 RE: Fireworks Chil-E Fest

OFFERED BY: Councilman DeCory SECONDED BY: Councilwoman Sperr

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).

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

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: I had to look some of these up.

SUPERVISOR DUNNING: Rough getting old, isn't it? Most of these bands have been there before. There are a couple that are new, but most of them have been here before.

RESOLUTION #140 RE: Entertainment Chil-E-Fest

OFFERED BY: Councilman Sperr SECONDED BY: Councilwoman Slattery

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).

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

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

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

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).

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

RESOLUTION #142 RE: Bike Ride for National Center for Missing & Exploited Children

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

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.

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

RESOLUTION #143 RE: Chili Fire Department Addition to Active List

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

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

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

RESOLUTION #144 RE: Chili Fire Department Remove from Active List

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

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

Matt Parish

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

RESOLUTION #145 RE: Building Department

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Brown

BE IT FURTHER that Alexandra Stanton shall be appointed provisionally as Planning Clerk, and shall be paid an annual salary of \$30,416.00 (PG 25) effective April 26, 2017, expenses to be paid by voucher as incurred, pending background check.

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

SUPERVISOR DUNNING: At this time I would like to introduce Alexandra Stanton here with us this evening, our newest member of the Town of Chili as our Planning Clerk. Alexandra.
COUNCILWOMAN SPERR: Welcome.
ALEXANDRA STANTON: Thank you.

RESOLUTION #146 RE: March 15, 2017 Abstract

OFFERED BY: Councilman DeCory SECONDED BY: Councilman Slattery

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	\$	84,042.38

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

RESOLUTION #147 RE: April 5, 2017 Abstract

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Brown

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,

CHILI TOWN BOARD MEETING - April 12, 2017 - Page 7

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		<u>3,190.40</u>
Total Abstract	\$	315,137.94

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

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.

The meeting was adjourned at 7:17 p.m.

