

Chili Town Board Meeting

December 13, 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.**

1. Incentive Zoning for 1420 Scottsville Road “University of Rochester”.
2. Incentive Zoning for 219, 223, 225, 227, 229 Golden Road & 29, 31 Stone Barn Road.

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.

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H. *Matters of the Supervisor* –

New Matters:

Pending Matters:

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

*Matters of the Town Council* –

New Matters:

Pending Matters:

I. Approval of Minutes – 11/15/2017

Reports Submitted –

2017 Y/E Report Architectural Advisory Committee  
2017 Y/E Report Assessor  
2017 Y/E Report BAR  
2017 Y/E Report Building Department  
2017 Y/E Report Conservation Board  
2017 Y/E Report Drainage Committee  
2017 Y/E Report Finance  
2017 Y/E Report Historian  
2017 Y/E Report Historic Preservation Board  
2017 Y/E Report Library  
2017 Y/E Report MIS  
2017 Y/E Report Planning Board  
2017 Y/E Report Parks & Recreation Committee  
2017 Y/E Report Recreation Department  
2017 Y/E Report Senior Center  
2017 Y/E Report Town Clerk  
2017 Y/E Report Traffic & Safety  
2017 Y/E Report Zoning Board  
2030 Comprehensive Plan Report – Y/E 2017  
Advanced Payment of Claims – November 2017  
Architectural Advisory Committee Minutes –  
Building Department Report – November 2017  
Chili Parks & Rec. Minutes – 11/17/2017  
Dog Control Reports – November 2017  
Library Board Minutes – 10/24/2017  
Monthly Financial Statement – October 2017  
Recreation Center Report – November 2017  
Senior Center Report – November 2017  
Town Clerk Report – November 2017  
Zoning Board Minutes – 10/24/2017

J. Correspondence –

Draft 12/8/2017

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1. Virginia Ignatowski, Town Clerk has received notification that John Nowicki, Planning Board is resigning effective 12/13/2017.
2. Virginia Ignatowski, Town Clerk has received notification that Michal May, Highway Department is resigning effective 12/21/2017.

K. Pending Business

L. Old Business

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M. New Business

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**RESOLUTION #268 RE: Donation to the 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, wishes to accept a \$100 donation from Lisa and Peter Darling & \$100 from John Zampatori to be deposited in the Senior Center Trust and Agency.

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**RESOLUTION #269 RE: Fire and Ambulance Contracts**

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

**BE IT RESOLVED**, that Supervisor Dunning be authorized to sign Fire and Ambulance Contracts in accordance with the 2018, budgeted amounts, pending review of counsel.

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**RESOLUTION #270 RE: Planning Board**

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

**BE IT RESOLVED**, that Glenn Hyde shall be appointed to the Planning Board to complete the term of John Nowicki term to expire December 31, 2020, expenses to be paid by voucher as incurred.

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**RESOLUTION #271 RE: Authorizing Surety, Form, and Amount of Official Undertaking for the Faithful Performance of the Duties of the Town Clerk and Receiver of Taxes and Assessments**

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

**BE IT RESOLVED**, as follows:

Section 1. The Town Board hereby approves the surety, form, and amount of the official undertaking for the faithful performance of the duties of the Town Clerk and Receiver of Taxes and Assessments as follows:

Type of Undertaking: Government - Form P-Faithful Performance

Insurance company: Utica National Insurance Group

Amount: \$500,000

Section 2. A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law Section 25.

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**RESOLUTION #272 RE: Chili Fire Department Active List**

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

**BE IT RESOLVED**, that the following individual(s) be added to the Chili Fire Department active list effective December 4, 2017:

Thomas J. (T.J.) May

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**RESOLUTION #273 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 (Various Dates):

Christina Tucker 11/8/2017 & Michael Wainwright 11/13/2017

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**RESOLUTION #274 RE: SEQR Determination – Local Law#\_\_\_\_\_ of 2017 to Establish a six month moratorium on Massage Therapy Business Approvals**

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

**WHEREAS**, the Chili Town Board has received the proposed Local Law# \_\_\_\_\_ of 2017 for the adoption of the Establishment of a six month moratorium on Massage Therapy Business Approvals; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Chili, having reviewed the SEQR regulations hereby determines that the adoption of Local Law # \_\_\_\_\_ for the Establishment of a six month moratorium on Adult Use Approvals is to be considered a Type II action.

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**RESOLUTION #275 RE: Adoption of Local Law#\_\_\_\_\_ of 2017 Establishing a six-month moratorium on Massage Therapy Business Approvals in the Town of Chili**

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

PURSUANT TO A CALL OF A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK, WHICH WAS DULY HELD AT THE TOWN HALL, 3333 CHILI AVENUE, ROCHESTER, NEW YORK 14624 ON THE 13<sup>th</sup> DAY OF DECEMBER, 2017 AT 7:00 P.M

**WHEREAS**, a proposed Local Law #\_\_\_\_\_of 2017 was introduced to the Town Board of the Town of Chili, by Councilwoman Sperr on the 11<sup>th</sup> day of October, 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 15<sup>th</sup> day of November, 2017, a public hearing was held at the 7:00 p.m. to consider adoption of the proposed Local Law #\_\_\_\_\_of 2017 “to establish a six month moratorium on Massage Therapy Business Approvals; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Local Law #\_\_\_\_\_of 2017 is hereby enacted by the Town Board of the Town of Chili.

**Duly put to a vote as follows:**

<b>Present:</b>	<b>Supervisor Dunning</b>	<b>voting</b>	_____
	<b>Councilman Slattery</b>	<b>voting</b>	_____
	<b>Councilwoman Sperr</b>	<b>voting</b>	_____
	<b>Councilman DeCory</b>	<b>voting</b>	_____
	<b>Councilman Brown</b>	<b>voting</b>	_____

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**RESOLUTION #276 RE: Letter of Credit Release #9 for Rose Hill, Phase 1**

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

**WHEREAS**, that per recommendation of the Commissioner of Public Works and Town Engineer that \$28,756.92 be released from the letter of credit #520005477 with Bank of Castile for Rose Hill, Phase 1, leaving a balance of \$384,167.75; subject to engineering fees and street light bills to the Town.

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**RESOLUTION #277 RE: Letter of Credit Release #6 for Carriage House, Section 3**

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

**WHEREAS**, that per recommendation of the Commissioner of Public Works and Town Engineer that \$12,301.00 be released from the letter of credit #520005347 with Bank of Castile for Carriage House, Section 3, leaving a balance of \$118,583.70; subject to engineering fees and street light bills to the Town.

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**RESOLUTION #278 RE: Establish Letter of Credit for 420 Ballantyne Road**

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

**BE IT RESOLVED**, that per the recommendation of the Commissioner of Public Works/Superintendent of Highways and Town Engineer that a letter of credit be established for 420 Ballantyne Road in the amount of \$161,652.96

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

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**RESOLUTION #279 RE: Snow and Ice Removal Agreement – Rose Hill, Section 1**

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

**BE IT RESOLVED**, to authorize the Town Supervisor to execute an Agreement between the Town of Chili and Forest Creek Equity Corp to allow for snow and ice removal operations for Rose Hill Estates, Section 1 subject to the review and acceptance by the Counsel for the Town.

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**RESOLUTION #280 RE: Snow and Ice Removal Agreement – Carriage House, Section 3**

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

**BE IT RESOLVED**, to authorize the Town Supervisor to execute an Agreement between the Town of Chili and Forest Creek Equity Corp to allow for snow and ice removal operations for Carriage House Estates, Section 3 subject to the review and acceptance by the Counsel for the Town.

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**RESOLUTION #281 RE: Set Public Hearing for Creation of Rose Hill Sidewalk District**

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

**WHEREAS**, a written petition, dated December 8, 2017, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Chili, Monroe County, New York for the creation of the Rose Hill Sidewalk District to serve Rose Hill Estates, Section 1-4 subdivision, Tax ID#'s 159.01-01-3.1 and 159.01-002.1 more particularly described in Schedule A attached hereto and incorporated herein by reference; and

**WHEREAS**, the petitioners shall pay all costs relating to the formation of the proposed district, as well as the construction and installation of all sidewalks and related improvements therein in accordance with the map and plans filed with the petition; and

**WHEREAS**, except as otherwise provided above, all expenses of the Rose Hill Sidewalk District including all extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended; and

**WHEREAS**, the proposed district creation is an Unlisted Action for the purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder ("SEQRA"); and

**NOW THEREFORE**, it is hereby, **RESOLVED** that the Chili Town Board is hereby designated "Lead Agency" for the environmental review of this proposed action; and be it

**ORDERED**, that a meeting of the Town Board of the said Town of Chili shall be held at the Chili Town Hall, 3333 Chili Avenue, Town of Chili, New York on the 17th day of January, 2018, at 7:00 p.m to consider the said Petition and to hear all persons interested in the subject thereof and for such other action on the vote of said Town Board in relation to the said Petition as may be proper or required by law; and it is further

**ORDERED**, that the Town Clerk of the Town of Chili is hereby authorized and directed to publish a copy of this order in the Gates Chili Post and post a copy of the same on the bulletin board in the Office of the Town Clerk, not less than ten (10) days, but not more than twenty (20) days, prior to the date set for said public hearing.

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**RESOLUTION #282 RE: Set Public Hearing for Consolidated Lighting District #1 to Serve Rose Hill Estates Section 1-4**

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

**WHEREAS**, a written petition, dated December 8, 2017, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Chili, Monroe County, New York for the extension of the Chili Consolidated Lighting District #1 to serve Rose Hill Estates, Section 1-4 subdivision, Tax ID#'s 159.01-01-3.1 and 159.01-002.1 more particularly described in Schedule A attached hereto and incorporated herein by reference; and

**WHEREAS**, the petitioners shall pay all costs relating to the formation of the proposed district extension, as well as the construction and installation of all poles, wires, lights, manholes, connections and related equipment and improvements therein in accordance with the map and plans filed with the petition; and

**WHEREAS**, except as otherwise provided above, all expenses of the Chili Consolidated Lighting District #1, including all extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended; and

**WHEREAS**, the estimated cost to the typical property, and, if different, the typical one or two family home within the Chili Consolidated Lighting District, in the first year following the formation of the district extension for operation and maintenance charges, is as follows:

Typical Property: \$0.20

Typical One or Two Family Home: \$0.20

**WHEREAS**, the proposed district extension is an Unlisted Action for the purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder ("SEQRA"); and

**NOW THEREFORE**, it is hereby,

**RESOLVED**, that the Chili Town Board is hereby designated "Lead Agency" for the environmental review of this proposed action; and be it

**ORDERED**, that a meeting of the Town Board of the said Town of Chili shall be held at the Chili Town Hall, 3333 Chili Avenue, Town of Chili, New York on the 17th day of January, 2018, at 7:00 p.m. to consider the said Petition and to hear all persons interested in the subject thereof and for such other action on the vote of said Town Board in relation to the said Petition as may be proper or required by law; and it is further

**ORDERED**, that the Town Clerk of the Town of Chili is hereby authorized and directed to publish a copy of this order in the Gates Chili Post and post a copy of the same on the bulletin board in the Office of the Town Clerk, not less than ten (10) days, but not more than twenty (20) days, prior to the date set for said public hearing.



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**RESOLUTION #283 RE: December 6, 2017 Abstract**

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

**WHEREAS**, January 4, 2017 Resolution #1 authorized vouchers to be paid December 6, 2017, by all Council signing an authorization form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 26075-26083, 26096-26097, 26101, 26103, 26105-26106, 26110-26112, 26114-26116, 26118-26126, 26128-26132, 26134-26135, 26137-26138, 26140-26145, 26147, 26149-26150, 26152-26155, 26157-26165, 26167-26170, 26172-26177, 26179-26187, 26189-26195, 26198, 26200-26201, 26203-26217, 26219-26222, 26224-26225, 26228, 26235, 26280-26281, 26359-26360, 26379, 26392-26393, 26472, 26475-26477, 26479, 26484-26488, 26492-26496, 26500-26502, 26507-26511, 26517-26532, 26547-26593, 26595-26598, 26600-26606, 26608-26616 totaling \$810,697.61 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 26075-26083, 26096-26097, 26101, 26103, 26105-26106, 26110-26112, 26114-26116, 26118-26126, 26128-26132, 26134-26135, 26137-26138, 26140-26145, 26147, 26149-26150, 26152-26155, 26157-26165, 26167-26170, 26172-26177, 26179-26187, 26189-26195, 26198, 26200-26201, 26203-26217, 26219-26222, 26224-26225, 26228, 26235, 26280-26281, 26359-26360, 26379, 26392-26393, 26472, 26475-26477, 26479, 26484-26488, 26492-26496, 26500-26502, 26507-26511, 26517-26532, 26547-26593, 26595-26598, 26600-26606, 26608-26616 were paid from the following funds:

General Fund	\$ 413,391.98
Highway Fund	302,122.80
Library Fund	81,912.43
Drainage District	102.00
Street Lighting Districts	13,168.40
Total Abstract	<u>\$ 810,697.61</u>

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The next meeting of the Chili Town Board will be recessed until Friday, December 29, 2017 at 12:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.