

CHILI TOWN BOARD  
December 29, 2017

A meeting of the Chili Town Board was held on December 29, 2017 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 12:00 p.m. The meeting was called to order by Supervisor David Dunning.

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

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

The invocation was given by Virginia Ignatowski.

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

**REPORTS SUBMITTED:**

Library Board Minutes – 11/28/2017  
Monthly Financial Statement – November 2017  
Senior Center Report – December 2017

**CORRESPONDENCE:**

1. Virginia Ignatowski, Town Clerk has received notification that V. Lee Robinson-Frank, Human Resources & Finance Assistant is retiring effective 12/29/2017.

**SUPERVISOR DUNNING:** Before we go on to our regular business, I would like the Board -- if you would please join me.

First of all, I would like to just say that for 17 years, Lee (Robinson-Frank) has been an integral part of that Human Resources and Finance Department. In my ten years I have been here, Lee (Robinson-Frank) is non-stop. She is constantly working. She is constantly running around. She has done a phenomenal job for us here. I can tell you for what she does and the amount of responsibility she has had for the Town of Chili, I can't even say I have even seen an mistake come out of Lee (Frank)'s office. One? No, you're mistaken. There's one mistake she has made.

On behalf of the Town Board, please -- we have a very small token of our appreciation. We know what you have done is of extreme value to the Town of Chili. They are going to be very, very difficult shoes to fill but -- it will be a tough time finding someone who can do the job as well as you have done and provide the services to the Town for many, many years and the sacrifices you have made in your time to be here to make sure things get done and done right. And from time to time keeping him (Dan Knapp) in order has been a challenge, I'm sure. (Laughter.)

But again, in appreciation for the 17 years of dedicated service to the Town of Chili, we would like to present you with just a little small token you can put on your shelf and dust for however long. Congratulations. (Applause.)

**DANIEL KNAPP:** I just want to add from my perspective, I don't think I have honestly ever met anybody who has been more dedicated, committed to their job. I think just everything that you do, and have done over the years, you know, I can say, there has been nothing that you have ever done that you have not put the Town, the employees before everything else. Every task that you have taken and done, you have the Town in it and the employees and everybody at the front of your thought and what you need to do to accomplish it.

And I think probably, though, some of the department heads might -- the manner in which you do your work and your performance evaluations and things like that, and even with David (Dunning) and things like that -- the efforts that you put through and persistence and so forth and your commitment to everyone here -- I know your commitment to your family is just as strong. As you're retiring, I hope you get a chance to enjoy that even more and sleep in on a Thursday morning and turn on the Price Is Right. Best of luck to you.

**COUNCILMAN BROWN:** We know you will keep busy.

**LEE ROBINSON-FRANK:** I will.

**SUPERVISOR DUNNING:** Would you like to say anything?

**LEE ROBINSON-FRANK:** Thank you for everything everyone has done for me.

**COUNCILMAN SLATTERY:** And these employees are here to say that, as well.

**LEE ROBINSON-FRANK:** They're great. I'm losing my family.

**COUNCILMAN SLATTERY:** I'm sure they all appreciate everything you have done here. I will be honest, I won't miss the -- where is this one's performance evaluation and that one. And

you're calling me telling me I'm two months late on those. I appreciate that. (Applause.)

2. Virginia Ignatowski, Town Clerk has received notification that Anna Valeria-Iseman, Recreation Committee is resigning effective 12/31/2017.

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**RESOLUTION #284 RE: Incentive Zoning for 1420 Scottsville Road**

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

**WHEREAS**, pursuant to the Resolution of the Chili Town Board (the "Town Board") dated December 28, 2007 and the Incentive Zoning Agreement between the Town Board and University of Rochester (the "University") dated December 28, 2007, as extended (collectively, the "Incentive Zoning Agreement"), the University operates an off-site parking facility (the "Project") on property located at and adjacent to 1420 Scottsville Road in the Town of Chili, New York (the "Property"); and

**WHEREAS**, the current term of the Incentive Zoning Agreement expires on December 31, 2017; and

**WHEREAS**, the University continues to require the use and operation of the Project to accommodate its increased parking demands and in furtherance of its contemplated purposes as a world class educational, medical, and research institution; and

**WHEREAS**, the University, through its attorneys Nixon Peabody LLP, by letter dated September 29, 2017 (the "Application"), applied to the Town for a renewal of and an amendment to the Incentive Zoning Agreement to allow the continued use and operation of the Project for an additional term of five (5) years commencing on January 1, 2018, and expiring on December 31, 2022, with the further right of the University to extend the term of the Incentive Zoning Agreement for an additional term of five (5) years commencing on January 1, 2023, and expiring on December 31, 2027 (the "Amendment"); and

**WHEREAS**, the Town Board, at its October 11, 2017 meeting, reviewed the University's proposal and deemed it worthy of further consideration and authorized the University to submit the proposal to the Planning Board for its review in accordance with the Incentive Zoning Requirements as set forth in Article XVI of the Town of Chili Zoning Ordinance (the "Zoning Code"); and

**WHEREAS**, the Planning Board considered the Application at its November 14, 2017 meeting and recommended that the Town Board approve the Application; and

**WHEREAS**, the Town Board, at its meeting on November 15, 2017, received the Planning Board's recommendation on the Application and set the public hearing on the Application for December 13, 2017; and

**WHEREAS**, the Application was duly referred to the Monroe County Department of Planning and Development pursuant to New York General Municipal Law Section 239-m, with the County Response received on December 1, 2017; and

**WHEREAS**, the Town Board, on December 13, 2017, held a public hearing on the Application pursuant to the Zoning Code, whereby the public was afforded the opportunity to speak and no public comments were received; and

**WHEREAS**, the proposed Amendment is a Type II Action under New York State Environmental Quality Review Act ("SEQRA"), and therefore no further SEQRA review is required; and

**WHEREAS**, the Town Board has reviewed the Application and the University's submitted materials, including the draft Amendment, and by this Resolution the Application for the requested Amendment in connection with the Project is hereby approved.

**NOW**, after due deliberation and on motion duly made and seconded, it is,

**RESOLVED**, that the Town Board hereby approves the Application for the requested Amendment in connection with the Project pursuant to its Incentive Zoning authority under Article XVI of the Zoning Code upon the following findings:

1. The Project will serve a Town public purpose and a regional public purpose. It will allow the University to continue to accommodate its increased parking demands in furtherance of its contemplated purposes as a world class educational, medical, and research institution.

2. Overall, the Project is consistent with and furthers the goals of the Town Comprehensive Plan.
3. The continued parking facility use is appropriate for the Property.
4. The Project presents economic and social benefits to the Town and its citizens, including the continued cash in lieu of amenity payments.
5. The amenities provided by the University, as set forth in the Amendment attached as Exhibit A, provide sufficient public benefit to warrant the requested incentives.
6. The Town and the University hereby agree to memorialize the terms and conditions of the continuation of the Project pursuant to the Amendment attached as Exhibit A and incorporated as part of this Resolution.
7. The Town Board will cause this incentive zoning Project to be noted on the official Town Zoning Map and otherwise as deemed appropriate.

**IN WITNESS WHEREOF**, this Resolution was properly adopted by the Town Board at its regularly scheduled meeting, the date of which is listed below.

**TOWN OF CHILI TOWN BOARD**

**DATE:** December 29, 2017

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

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**RESOLUTION #285 RE: ACA Consulting Services**

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

**WHEREAS**, on December 14, 2016, Resolution #275, the Town Board authorized the Supervisor to sign a contract with HB Solutions to provide consulting services concerning Affordable Care Act compliance for a three-year period; and

**WHEREAS**, HB Solutions has been sold off and has become its own new stand-alone company, Paragon Compliance, LLC, providing a continuation of the services previously provided by HB Solutions, at the same costs, honoring the terms of the previous contract with HB Solutions; and

**NOW, THEREFORE, BE IT RESOLVED**, that per the recommendation of the Director of Finance, that Supervisor Dunning is hereby authorized to enter into a contract with Paragon Compliance, LLC to provide consulting services concerning Affordable Care Act compliance in an amount not to exceed \$4,000 per year to be paid from account A1430.4 (Personnel - Payroll).

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

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**RESOLUTION #286 RE: Transfer to Retirement Contribution Reserve**

**OFFERED BY: Councilman Brown      SECONDED BY: Councilman Slattery**

**WHEREAS**, the Retirement Contribution Reserve was established by November 12, 2014, Resolution # 255; and

**NOW, THEREFORE, BE IT RESOLVED**, to transfer unexpended State Retirement Employee Benefits budget funds in the amounts of \$22,500.00 from account A9010.8 and \$27,500.00 from account DA9010.8 to the Retirement Contribution Reserve.

Councilman Brown - Aye  
Councilman DeCory - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - absent

Supervisor Dunning - Aye

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**RESOLUTION #287 RE: 2017 Budget Amendments**

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

**BE IT RESOLVED** to transfer \$350 from A1410.4 (Town Clerk - Training) to A1330.1 (Tax Collector - Personnel).

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

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**RESOLUTION #288 RE: Encumber 2017 Funds**

**OFFERED BY: Councilman Brown      SECONDED BY: Councilman Slattery**

**BE IT RESOLVED** to encumber the following from 2017 budgets:

1. A3620.2.0026 (Safety Inspection – Equipment – General Fleet Reserve) in the amount of \$28,000 for replacement of a safety inspection vehicle; and
2. A8020.4.0053 (Planning – Comprehensive Plan Reserve) in the amount of \$12,500 for 2030 Comprehensive Plan Update; and
3. DA5130.2.0010 (Machinery – Equipment – Highway Equipment Reserve) in the amount of \$59,000 for replacement of highway vehicle #1 and a highway van; and
4. A1440.4 (Town Engineer – Drainage Engineering) in the amount of \$2,975 for a topographic survey and mapping; and
5. A1440.4 (Town Engineer – GIS Assistance) in the amount of \$1,500 for GIS updates; and
6. A1680.2 (Information Technology – Equipment) in the amount of \$9,602.49 for HP computer equipment; and
7. A8020.4 (Planning – Comprehensive Plan) in the amount of \$5,000 for updating GIS maps.

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

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**RESOLUTION #289 RE: December 20, 2017 Abstract**

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

**WHEREAS**, January 4, 2017 Resolution #1 authorized vouchers to be paid December 20, 2017, by all Council signing an authorization form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 26437, 26594, 26599, 26607, 26617, 26620-26621, 26625-26626, 26631-26635, 26637-26646, 26650-26654, 26658-26716, 26718, 26720-26753 totaling \$142,808.45 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 26437, 26594, 26599, 26607, 26617, 26620-26621, 26625-26626, 26631-26635, 26637-26646, 26650-26654, 26658-26716, 26718, 26720-26753 were paid from the following funds:

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|                            |    |                 |
|----------------------------|----|-----------------|
| General Fund               | \$ | 67,827.00       |
| Comprehensive Plan Reserve |    | 4,000.00        |
| Highway Fund               |    | 68,996.00       |
| Drainage District          |    | <u>1,985.45</u> |
| Total Abstract             | \$ | 142,808.45      |

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

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The next meeting of the Chili Town Board, which is the Organizational Meeting, is scheduled for Wednesday, January 3, 2018 at 5:00 p.m. at the Chili Town Hall Main Meeting Room.

The next regular meeting of the Chili Town Board will be on Wednesday, January 17, 2018 at 7:00 p.m. in the Chili Town Hall Main Meeting Room.

The meeting ended at 12:08 p.m.