

Chili Town Board Meeting
February 14, 2018
Agenda

A. Call to Order

B. Invocation

Pledge of Allegiance

C. Roll Call

Councilman **Mark L. DeCory** _____

Councilwoman **Mary C. Sperr** _____

Councilman **Michael S. Slattery** _____

Councilman **Jordon I. Brown** _____

Supervisor **David J. Dunning** _____

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.

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H. *Matters of the Supervisor* –

New Matters:

Pending Matters:

Matters of the Town Council –

New Matters:

Pending Matters:

I. Approval of Minutes – 1/17/2018

Reports Submitted –

Advanced Payment of Claims – January 2018

Building Department Report – January 2018

Dog Control Reports – January 2018

Library Board Minutes – 12/19/2017

Recreation Center Report –

Senior Center Report – January 2018

Town Clerk Report – January 2018

Traffic & Safety Committee Minutes – 11/2/2017, (No December 2017 Mtg.).

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #99 RE: Chili Parks & Recreation Committee

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that Melissa Cunningham be appointed to the Chili Parks & Recreation Committee for a three (3) year term to expire December 31, 2020; expenses to be paid by voucher as incurred.

RESOLUTION #100 RE: Board of Assessment Review

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that Barbara Dodge be appointed as a temporary member of the Board of Assessment Review to serve on administrative hearing panels for the 2018 assessment roll year for one term, 2/14/2018 – 2/14/2019 as needed; and

BE IT FURTHER RESOLVED, that Barbara Dodge attend Board of Assessment Review training per Real Property Tax Law 523. Notification of training date and time to be provided by Monroe County Real Property upon town board approval of appointments. Reimbursement for training to be \$75.00 each upon completion, to be paid from account A1355.1 (Personnel Services).

RESOLUTION #101 RE: Acceptance of Justice Court Assistance Program Grant

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Town has received notification that it has been awarded a grant under the 2017-2018 cycle of the Justice Court Assistance Program (JCAP) in the amount of \$17,378.47. Said grant is to be used for the purchase of various equipment to be used in the Chili Town Court; and

NOW, THEREFORE, BE IT RESOLVED, to accept the grant; and

BE IT FURTHER RESOLVED, to amend the 2018 revenue budget A3089 (State Aid – Other) by an increase of \$17,378.47; and amend the 2018 expense budget A1110.2 (Justices - Equipment) by an increase of \$17,378.47.

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RESOLUTION #102 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, wish to accept: a \$100 donation from David Stuhler. Funds to be deposited in the Senior Center Trust and Agency Account.

RESOLUTION #103 RE: Use of 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, wish to use funds from said account to offset the cost of the following activities: Summer & Fall picnics, Top of the Morning Irish Dinner, Marcy Downey “Song & Laughter” May 2018, Oktoberfest & Clambake; amount not to exceed \$500 per event.

RESOLUTION #104 RE: Letter of Credit Release #10 for Rose Hill, Phase 1

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$5,760.00 be released from the letter of credit #520005477 with Bank of Castile for Rose Hill, Phase 1, leaving a balance of \$378,407.75; subject to engineering fees and street light bills to the Town.

**RESOLUTION #105 RE: Letter of Credit Release #3 for King Forest Section 6,
Phase A**

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer, \$19,714.54 be released from the letter of credit #520005369 with Bank of Castile for King Forest Section 6, Phase A, leaving a balance of \$32,171.70; subject to engineering fees and street light bills to the Town.

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RESOLUTION #106 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 February 12, 2018:

John Chizmadia & Zachary Miller

RESOLUTION #107 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 January 31, 2018:

Jim Heydens

RESOLUTION #108 RE: Chili Fire Department Exempt List

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that the following individual(s) be removed from the CFD active list and be added to the Chili Fire Department exempt list effective January 17, 2018:

Curtis Hess

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RESOLUTION #109 RE: Establishment of Rose Hill Sidewalk District

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, a petition for the creation of a sidewalk district to be known as the Rose Hill Sidewalk District to serve Rose Hill Estates, Section 1-4, Tax ID#'s 159.01-01-3.1 and 159.01-002.1 within the Town of Chili, Monroe County, New York, the said petition being dated the 8th day of December, 2017, was duly presented to the Town Board together with the necessary map and plan attached thereto; and

WHEREAS, an order was duly adopted by the Town Board on December 13, 2017 reciting the filing of said petition, the boundaries of the proposed district, the proposed improvements to be constructed therein and specifying January 17, 2018 at 7:00 P.M. as the time and the Town Hall in the said Town of Chili as the place where the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, such order was duly posted and published as required by law; and

WHEREAS, a hearing on the matter was duly held by the Board on the 17th day of January, 2018, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, this Board has duly reviewed and considered the short Environmental Assessment Form submitted in this matter, as well as all other information obtained at the public hearing referred to above; and the Board has duly considered the impacts which may reasonably expected to result from the proposed action by using the process and criteria set forth in Article 8 of the State Environmental Quality Review Act and applicable regulations thereunder ("SEQRA"); and

NOW, THEREFORE, upon the evidence obtained by the Town Board at said public hearing and upon all other information obtained and reviewed by the Board, it is

RESOLVED AND DETERMINED, that the proposed creation of the Rose Hill Sidewalk District is not likely to result in the creation of potentially significant adverse environmental impacts and therefore, this Town Board does hereby make a Determination of Non-Significance, or a "Negative Declaration" (as the same is defined for purposes of SEQRA); and be it further

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of Town Law as to the sufficiency of signers with respect to the boundaries of the proposed district as herein approved and it is otherwise sufficient; (b) all the property and property owners within the proposed district are benefited thereby; (c) all the property and property owners benefited are included within the limits of the proposed district; (d) it is in the public interest to grant in whole the relief sought; and be it further

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RESOLVED AND DETERMINED, that the establishment of the Rose Hill Sidewalk District as proposed in said petition be approved. That the improvements therein mentioned be constructed according to plans and specifications approved by the Planning Board and the entire costs relating to the formation of the proposed district, as well as the construction and installation of improvements therein be paid by the petitioner as provided for in said Petition and that such district shall be designated and known as Rose Hill Sidewalk District, Town of Chili, Monroe County, New York and shall be bounded and described and shown in Schedule "A" attached hereto and incorporated herein by reference; and be it further

RESOLVED, that the Town Clerk of this Town shall within ten (10) days after the adoption of this resolution file certified copies thereof in duplicate in the office of the State Department of Audit and Control at Albany, New York.

RESOLUTION #110 RE: Approving Extension of Chili Consolidated Lighting District #1 to Serve Rose Hill Estates Section 1-4

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, a petition 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 a territory located within the Town of Chili, Monroe County, New York, the said petition being dated the 8th day of December, 2017, was duly presented to the Town Board together with the necessary map and plan attached thereto; and

WHEREAS, an order was duly adopted by the Town Board on December 13, 2017 reciting the filing of said petition, the boundaries of the proposed district extension, the proposed improvements to be constructed therein, the estimated costs of the Chili Consolidated Lighting District #1, as extended, to the typical property, or if different, to the typical one or two family home, within the Chili Consolidated Lighting District #1, as extended, and specifying January 17, 2018 at 7:00 P.M. as the time and the Town Hall in the said Town of Chili as the place where the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

WHEREAS, such order was duly posted and published as required by law; and

WHEREAS, a hearing on the matter was duly held by the Board on the 17th day of January, 2018, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, this Board has duly reviewed and considered the short Environmental Assessment Form submitted in this matter, as well as all other information obtained at the public hearing referred to above; and the Board has duly considered the impacts which may reasonably expected to result from the proposed action by using the process and criteria set forth in Article 8 of the State Environmental Quality Review Act and applicable regulations thereunder ("SEQRA"); and

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NOW, THEREFORE, upon the evidence obtained by the Town Board at said public hearing and upon all other information obtained and reviewed by the Board, it is

RESOLVED AND DETERMINED, that the proposed extension of the Chili Consolidated Lighting District #1 is not likely to result in the creation of potentially significant adverse environmental impacts and therefore, this Town Board does hereby make a Determination of Non-Significance, or a "Negative Declaration" (as the same is defined for purposes of SEQRA); and be it further

RESOLVED AND DETERMINED, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of Town Law as to the sufficiency of signers and is otherwise sufficient; (b) all the property and property owners within the proposed district extension are benefited thereby; (c) all the property and property owners benefited are included within the limits of the of the proposed district extension; (d) it is in the public interest to extend the district only if the expenses of the district (except as otherwise provided herein) shall be assessed against the entire district, as extended; and (e) it is in the public interest to grant in whole the relief requested; and be it further

RESOLVED AND DETERMINED, that the extension of the Chili Consolidated Lighting District #1 as proposed in said petition be approved; and 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 be it further

RESOLVED AND DETERMINED, that, except as otherwise provided above, all expenses of the Chili Consolidated Lighting District #1, including this extension and all other extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended,; and be it further

RESOLVED, that the Town Clerk of this Town shall within ten (10) days after the adoption of this resolution file certified copies thereof in duplicate in the office of the State Department of Audit and Control at Albany, New York; and be it further

RESOLVED, that the Town Clerk, within ten (10) days of the adoption of this resolution, shall cause to be published and posted, as required by law, a notice setting forth an abstract of this resolution, the date that it was adopted and a statement that it is subject to a permissive referendum.

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RESOLUTION #111 RE: Pre-Referendum Architectural & Engineering Services

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Town of Chili has completed a conceptual needs assessment feasibility study for a Town of Chili Community Center, Senior Center, Library & Parks Complex; and

WHEREAS, the Town Board wishes to share the results of the completed study with Chili residents by way of public meetings; and

WHEREAS, in order to provide the public with thorough and accurate information, the Town Board believes retaining consultant services to assist in preparation of a possible referendum is in the best interest of the residents of Chili; and

NOW, THEREFORE, BE IT RESOLVED, to transfer \$30,000 from A1990.4000 (Contingency) to A1440.4 (Town Engineer – Engineering and Survey); and

BE IT FURTHER RESOLVED, that Supervisor Dunning be authorized to enter into an agreement with Passero Associates for Pre-Referendum Architectural & Engineering Services at a cost not to exceed \$30,000, to be paid from account A1440.4 (Town Engineer – Engineering and Survey).

RESOLUTION #112 RE: 2018 Budget Amendments

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, to transfer \$800 from A1920.4 (Municipal Association – AOT Conference) to A1220.4 (Supervisor – Training/Conferences); and

BE IT FURTHER RESOLVED, to transfer \$800 from A1920.4 (Municipal Association – AOT Conference) to A3620.4 (Safety Inspection – Training/Conferences).

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RESOLUTION # 113 RE: February 7, 2018 Abstract – 2017 Payables

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, January 3, 2018 Resolution #1 authorized vouchers to be paid February 7, 2018, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 27011, 27015, 27018, 27027, 27029, 27039, 27080, 27097-27101, 27116-27117, 27163 totaling \$53,632.44 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 27011, 27015, 27018, 27027, 27029, 27039, 27080, 27097-27101, 27116-27117, 27163 were paid from the following funds:

General Fund	\$	37,608.90
Library Fund		1,816.17
Street Lighting Districts		13,810.10
Sidewalk Districts		397.27
Total Abstract	\$	<u>53,632.44</u>

RESOLUTION #114 RE: February 7, 2018 Abstract – 2018 Payables

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, January 3, 2018 Resolution #1 authorized vouchers to be paid February 7, 2018, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 26907-26909, 27005, 27012-27014, 27016-27017, 27019-27026, 27028, 27030-27038, 27040-27046, 27051, 27060, 27065-27067, 27069, 27075, 27079, 27081-27083, 27087-27092, 27096, 27102-27115, 27118-27162, 27164-27174 totaling \$2,288,971.58 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 26907-26909, 27005, 27012-27014, 27016-27017, 27019-27026, 27028, 27030-27038, 27040-27046, 27051, 27060, 27065-27067, 27069, 27075, 27079, 27081-27083, 27087-27092, 27096, 27102-27115, 27118-27162, 27164-27174 were paid from the following funds:

General Fund	\$	146,083.20
Admin Facility Rerserve	\$	10,632.00
Highway Fund	\$	357,373.61
Library Fund		4,114.38
Consolidated Drainage District		399.77
Fire Protection Districts		1,687,985.00
Sidewalk Districts		2,383.62
Ambulance Districts		80,000.00
Total Abstract	\$	<u>2,288,971.58</u>

The next meeting of the Chili Town Board will be Wednesday, March 14, 2018 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.