

CHILI TOWN BOARD  
January 17, 2018

A meeting of the Chili Town Board was held on January 17, 2018 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; Daniel Knapp, Director of Finance; David Lindsay, Commissioner of Public Works/Highway Superintendent; Councilman Slattery, Deputy Town Supervisor; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Virginia Ignatowski.

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

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PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on January 17, 2018 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss creation of Rose Hill Sidewalk District.

Attendance as previously noted in the 1/17/18 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

CHRISTOPHER MCCULLOUGH, 12 Boneset Trail, Apartment F, North Chili

MR. MCCULLOUGH: Christopher McCullough, 12 Boneset Trail, Apartment F, North Chili 14514.

Forgive me, I may be wrong, but I thought these were -- all sidewalk districts and lighting districts were part of all new, um, communities in the Town of Chili when they're being built. I thought these were part of it. I didn't know we had to create them on top of it.

SUPERVISOR DUNNING: By State Law, they have to be created. You have to create a special district.

MR. MCCULLOUGH: Even though it's part -- like if someone wants to build in the Town of Chili now that --

SUPERVISOR DUNNING: I'm sorry. I don't mean to cut you off. There are other sidewalk districts particular to certain areas.

I will use Vista Villas for example. Vista Villas have their own sidewalk and lighting district. They are -- they get a special district tax to maintain, which is on the lower part of the -- when you see your tax bill -- on the lower part of the tax bill under the special districts for their sidewalk and lighting, they are assessed a tax based on the sidewalk that is being used by that particular area.

MR. MCCULLOUGH: Okay.

SUPERVISOR DUNNING: So it's not --

MR. MCCULLOUGH: Everybody doesn't pay tax on it. Just the community that it impacts?

SUPERVISOR DUNNING: That's correct.

MR. MCCULLOUGH: Okay.

SUPERVISOR DUNNING: That's correct.

The Public Hearing was closed at 7:03 p.m.

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PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on January 17, 2018 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:04 p.m. to discuss Consolidated Lighting District Number 1 to serve Rose Hill Estates Section 1- 4.

Attendance as previously noted in the 1/17/18 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:04 p.m.

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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 7:04 p.m.

SUPERVISOR DUNNING: We'll address those questions when the resolution arises.

**MATTERS OF THE SUPERVISOR:**

SUPERVISOR DUNNING: I don't have anything additional at this time.

Pending Matters:

1. Vacancy BAR (Temp Member) Committee.
2. Vacancy Recreation Advisory Committee.

SUPERVISOR DUNNING: Under Pending Matters, we do still have a vacancy on the Board of Assessment Review for a temp member and also a vacancy for the Recreation Advisory Committee.

Anyone from the Town Council have anything you would like to --

**MATTERS OF THE TOWN COUNCIL:**

COUNCILMAN SLATTERY: Two things, actually, Supervisor. I know you know it has been talked about in regards to one, the weather conditions that we have had and our Highway Department, the Public Works Department and I know I have received a number of compliments in regards to the way the roads have been maintained.

I know it's been a strain on our Highway Department and Dave Lindsay and his people in regards to the number of hours that these folks have been coming in and working. You know, they work their normal shift, come in after hours for overtime, weekends, holiday and so forth.

So I just want to say a thank you to them and -- all their hard work.

And also to the Fire Departments that have been responding to the -- what was the term you used?

SUPERVISOR DUNNING: The frozen four.

COUNCILMAN SLATTERY: The frozen four, in regards to the four fires that took place. Not only the Chili Fire Department, which is -- you know, volunteers who give up their family time and whether it's for training or to respond to these incidents, but also the surrounding communities that have come over to assist us with that. So it's greatly appreciated.

SUPERVISOR DUNNING: Well said. Thank you.

COUNCILWOMAN SPERR: I echo that. Thank you.

SUPERVISOR DUNNING: Thank you.

The 12/13/17, 12/29/17 and 1/3/18 Town Board meeting minutes were approved.

**REPORTS SUBMITTED:**

Building Department Report – December 2017, 2017 Y/E Report  
Conservation Board Minutes – 12/4/2017  
Dog Control Reports – December 2017, 2017 Y/E Report  
Recreation Center Report – December 2017  
Town Clerk Report – December 2017

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**RESOLUTION #88 RE: Donation to the Senior Center Trust and Agency Account**

**OFFERED BY: Councilman Slattery 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 accept: A \$100 donation from Linda Bennett; a \$100 donation from Nancy Tuohey; a \$100 donation from SPX Church Seasoned People, and a \$400 donation from Christine Peters. Funds to be deposited in the Senior Center Trust and Agency Account.

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

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: One question if I could, please. In regards to the -- maybe Mr. Lindsay can help or you. In regards to the buffer along the site of the tributary of Black Creek, Union Station, um, who will be doing that work and when do we anticipate that?

SUPERVISOR DUNNING: David (Lindsay) will be better to answer that. I believe we're doing the work, but...

DAVID LINDSAY: Work should take place in the spring, early summer of 2000 -- this year, 2018. Hopefully by end of May, early June we should be completed with that first phase of it. The work will be carried out by Parks staff as well as in cooperation with staff from the Monroe County Water and Soil Conservation.

COUNCILMAN SLATTERY: Are we going to be doing both sides of the Black Creek?

DAVID LINDSAY: The tributary, no. I guess we would say just the park side of that.

COUNCILMAN SLATTERY: Just the south side.

DAVID LINDSAY: Yes. Or north side. As you drive -- north side of the creek, south side of the road.

COUNCILMAN SLATTERY: Oh, okay. Okay. All right. Thank you.

SUPERVISOR DUNNING: Any other questions?

I'm trying to figure that out, too.

COUNCILMAN SLATTERY: The north side of the creek, would be on the -- the property -- the house side?

COUNCILWOMAN SPERR: Yeah.

SUPERVISOR DUNNING: Has to be the south side.

COUNCILMAN SLATTERY: South side of the creek is on the park side.

DAVID LINDSAY: Union Street runs north/south.

COUNCILMAN SLATTERY: Are we doing along Black Creek in the park?

DAVID LINDSAY: No. There is a tributary that cuts under Union Street.

COUNCILMAN SLATTERY: This is by Union Street, not by the spray park?

DAVID LINDSAY: Correct. We did that one last year.

COUNCILMAN SLATTERY: Oh, okay. That's where the --

RICHARD STOWE: Key word being "tributary."

COUNCILMAN SLATTERY: Thanks, Counsel.

RICHARD STOWE: No problem.

SUPERVISOR DUNNING: We good?

COUNCILMAN SLATTERY: I know there was that little feeder that comes out by the spray park.

DAVID LINDSAY: That's all of the same tributary. We did that section from about the -- the pipes that go under the access road there, we did that out to Black Creek last year and this is an extension of that heading out towards Union Street.

COUNCILMAN SLATTERY: Good. Beautiful. Thank you, sir.

SUPERVISOR DUNNING: Any other questions or comments?

**RESOLUTION #89 RE: 2018 Budget Amendments – Grants**

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

**WHEREAS**, on March 16, 2016, on Resolution #128, the Town Board accepted a grant from the Department of Agriculture and Markets through its Farmland Protection Implementation Grants program and the New York State Environmental Protection Fund which is to be used to assist the Town in amending our local laws to remove unreasonable restrictions affecting agricultural lands and farm operations, and work had not been completed as of December 31, 2017; and

**BE IT RESOLVED** to amend the 2018 revenue budget A3089 (State Aid - Other) by an increase of \$4,200 and the 2018 expense budget A1410.4 (Town Clerk – General Code Updates) by an increase of \$4,200; and

**WHEREAS**, on June 14, 2017, on Resolution #175, the Town Board accepted a grant from the Monroe County Soil and Water Conservation District which is to be used for the implementation of a riparian buffer along both sides of an unnamed tributary to Black Creek at Union Station Park, and work had not been completed as of December 31, 2017; and

**BE IT RESOLVED** to amend the 2018 revenue budget A2706 (Grants from Local Governments) by an increase of \$38,933 and the 2018 expense budget A8090.4 (Environmental/Conservation - Contractual) by an increase of \$38,933; and

**WHEREAS**, on September 13, 2017, on Resolution #219, the Town Board accepted a State and Municipal Facilities Program grant from the Dormitory Authority of New York State which is to be used to assist in the purchase of a new dozer and mini-excavator, and the vehicles had not been ordered and received as of December 31, 2017; and

**BE IT RESOLVED** to amend the 2018 revenue budget DA3089 (State Aid) by an increase of

\$85,000, expense account DA5130.2 (Machinery – Equipment) by an increase of \$85,000 and expense account DA(5130.2.0010 (Machinery – Equipment – Highway Equipment Reserve) by an increase of \$30,000; and

**BE IT FURTHER RESOLVED**, to amend the 2018 revenue budget A3089 (State Aid) an increase of \$59,000, expense account A8540.2 (Drainage – Equipment) by an increase of \$59,000 and expense account A8540.2.0026 (Drainage – Equipment – General Fleet Reserve) by an increase of \$25,000; and

**WHEREAS**, on September 13, 2017, on Resolution #221, the Town Board approved the use of funds from the Capital Reserve for Administration Buildings to be used to reconfigure portions of the Town Hall in an effort to make the building more user friendly and more accessible to the public, and work had not been completed as of December 31, 2017; and

**BE IT RESOLVED** to amend the 2018 expense budget A1620.2.0033 (Buildings – Equipment – Admin Facility Reserve) by an increase of \$114,149.30; and

**WHEREAS**, on November 15, 2017, on Resolution #246, the Town Board accepted a grant for Bullet Aid from New York State and Senator Ranzenhofer which is to be used for the purpose of providing children’s programming, updating technology and improving the library, and work had not been completed as of December 31, 2017; and

**BE IT RESOLVED** to amend the 2018 revenue budget L3840 (State Aid for Libraries) by an increase of \$4,816 and the 2018 expense budget L7410.2 (Library – Equipment) by an increase of \$4,816; and

**WHEREAS**, on November 15, 2017, on Resolution #252, the Town Board accepted a Community Development Block Grant from Monroe County which is to be used for the Paul Road Sidewalk Improvement Project, and work had not been completed as of December 31, 2017; and

**BE IT RESOLVED** to amend the 2018 revenue budget A2706 (Grants from Local Governments) by an increase of \$57,000 and the 2018 expense budget A5410.4 (Sidewalks – Contractual) by an increase of \$57,000.

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

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**RESOLUTION #90 RE: University of Rochester Incentive Zoning**

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

**WHEREAS**, December 28, 2007, Resolution #346 accepted the Incentive Zoning Agreement with the University of Rochester and on December 5, 2012, Resolution #322 extended the agreement through 2017 and on December 29, 2017, Resolution #284 extended the agreement through 2022; and

**WHEREAS**, Section A(3) of the agreement states the incentive zoning funds are to be used accordance with the terms of the current section 115-89 Zoning Code; and

**NOW, THEREFORE, BE IT RESOLVED**, incentive zoning funds received in 2018 shall be deposited in the Sidewalk Reserve Fund.

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

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**TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:**

**SUPERVISOR DUNNING:** There was question from the audience about that. I believe it's \$1,000 per lot, per unit that is built and it's for not tying in the downspouts. So the -- your gutters, the downspouts for your gutters don't get tied into the sewer system. They get sent out to the -- to the yard which slows the water from getting into the -- or leeching into the drainage systems, if you will.

**MR. MCCULLOUGH:** Okay.

SUPERVISOR DUNNING: It's a newer recommendation now that the -- the DEC and everybody wants to see storm water -- to see a slower progress of water coming off the houses and not directly into the sewer system -- storm sewer system. I believe it's \$1,000 a unit.

DAVID LINDSAY: I think that's correct.

**RESOLUTION #91 RE: Forest Creek Incentive Zoning**

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

**WHEREAS**, September 14, 2016, Resolution #229 accepted the Incentive Zoning Agreement with Forest Creek Equity Corp, Rose Hill Estates; and

**WHEREAS**, November 15, 2017, Resolution #247 accepted the Incentive Zoning Agreement with Forest Creek Equity Corp, Carriage House Estates; and

**WHEREAS**, the agreement states the incentive zoning funds are to be used by the Town to benefit the community as a whole; and

**NOW, THEREFORE, BE IT RESOLVED**, incentive zoning funds received in 2018 shall be deposited in the Sidewalk Reserve Fund.

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

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**RESOLUTION #92 RE: Chili Fire Department Active List**

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

**BE IT RESOLVED** that the following individual(s) be added to the Chili Fire Department active list effective January 8, 2018:

Michael Dorgan

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

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**RESOLUTION #93 RE: Chili Fire Department Remove from Active List**

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

**BE IT RESOLVED** that the following individual(s) be removed from the Chili Fire Department active list effective 1/1/2018:

Michael May & Cullen Phillips

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

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**RESOLUTION #94 RE: Chili Fire Department Exempt List**

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

**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 dates below:

Tim Goole 1/2/2018 & Chuck Keiser 1/1/2018

Councilman Brown - Aye  
Councilman DeCory - Aye  
Councilman Slattery - Aye

Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

**RESOLUTION #95 RE: Finance Department**

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

**BE IT RESOLVED** that Michelle Lenhart shall be provisionally appointed as Human Resources & Finance Assistant and shall be paid an annual salary of \$47,000.00 effective February 5, 2018 expenses to be paid by voucher as incurred.

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

SUPERVISOR DUNNING: I would like to introduce Michelle Lenhart to everyone. Welcome, Michelle (Lenhart).

**RESOLUTION #96 RE: Upstate NY Municipal Workers Compensation Plan Director, Alternate Director and Facilitator**

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

**BE IT RESOLVED** Michelle Lenhart, Human Resources & Finance Assistant, shall be appointed as the Facilitator, to serve in either the Acting Voting Member's or Alternate Acting Voting Member's absence.

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

SUPERVISOR DUNNING: See? All that quickly, you have got another responsibility right away. It doesn't take long, does it? We're good at handing out titles, not money. Just so you know.

MICHELLE LENHART: Good to know. (Laughter.)

**RESOLUTION #97 RE: January 17, 2018 Abstract – Fiscal Year 2017 Payables**

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

**BE IT RESOLVED** to pay vouchers 26875-26876, 26879-26881, 26888-26895, 26901-26902, 26906, 26910-26911, 26914, 26917-26919, 26921, 26926-26931, 26933, 26938, 26940-26945, 26947, 26950-26952, 26957, 26960, 26963-26965, 26967-26968, 26970-26971, 26974-26975, 26979-26982, 26984-26987, 26989-26994, 27001, 27003-27004, 27006-27007 totaling \$171,592.51 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$	46,007.06
Highway Fund		73,838.77
Library Fund		255.98
Drainage District		<u>51,490.70</u>
Total Abstract	\$	171,592.51

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

**RESOLUTION #98 RE: January 17, 2018 Abstract – Fiscal Year 2018 Payables**

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

**BE IT RESOLVED** to pay vouchers 26885-26887, 26897-26900, 26905, 26912-26913, 26915-26916, 26922-26925, 26932, 26934-26937, 26939, 26946, 26948-26949, 26953-26956, 26958-26959, 26961-26962, 26966, 26969, 26972-26973, 26976-26978, 26983, 26988, 26995-27000, 27002 totaling \$191,334.04 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$	182,699.08
Highway Fund		8,282.78
Drainage District		<u>352.18</u>
Total Abstract	\$	191,334.04

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

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

The meeting was adjourned at 7:13 p.m.

