

Chili Town Board Meeting
June 13, 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:

1. Monroe County Town Clerks, Tax Receivers & Collectors 50th Anniversary.

Pending Matters:

Matters of the Town Council –

New Matters:

Pending Matters:

I. Approval of Minutes – 5/16/2018

Reports Submitted –

- 2030 Comp. Plan Minutes – 4/26/2018
- Advanced Payment of Claims – May 2018
- Building Department Report – May 2018
- Dog Control Reports – May 2018
- Drainage Committee Minutes – 4/3/2018
- Library Board Minutes – 4/24/2018
- Planning Board Minutes – 4/10/2018
- Recreation Center Report – May 2018
- Senior Center Report – May 2018
- Town Clerk Report – May 2018
- Traffic & Safety Minutes – 5/3/2018
- Zoning Board Minutes – 3/27/2018 (No February 2018 Mtg.).

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from Karen Paxon, Computer Support Clerk that she is retiring effective June 6, 2018.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #157 RE: Library Board of Trustees

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

BE IT RESOLVED, that Lori Hahn be appointed to the Library Board of Trustees to complete the term of Judith Kharbas term to expire on December 31, 2020.

RESOLUTION #158 RE: Acceptance of Records Management Grant

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

WHEREAS, the Town of Chili has received notification that it has been awarded a Local Government Records Management Improvement Fund (LGRMIF) grant in the amount of \$30,625.00 from the New York State Archives, a unit of the NYS Education Department (SED), to implement a document conversion and access project; and

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Dunning be authorized to accept the grant award from New York State Archives; and

BE IT FURTHER RESOLVED, to increase revenue account A3089 (State Aid) by \$30,625.00, expense account A1460.1 (Records Management – Personnel) by \$12,750.00 and expense account A1460.4 (Records Management Contractual – Projects) by \$17,875.00.

RESOLUTION #159 RE: 2018 Summer Recreation Staff

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

BE IT RESOLVED, that per recommendation of Michael Curley, Parks and Recreation Director, the following people be hired for summer employment.

Playground Director (\$14.00/hour)

Guy Puglia

Site Leader (\$12.00/hour)

Glenn Pittman (Teen Camp)

Lead Counselor (\$11.00/hour)

Ryan Fitzgerald (CRS Camp)

Marissa Lippa (PRS Camp)

Seasonal Tennis Instructor (\$13.00/hour)

Bill Davis

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RESOLUTION #160 RE: 2018 Budget Amendments

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

BE IT RESOLVED, to transfer \$15,000 from A1680.1 (Information Technology – Personnel Services) to A1220.1 (Supervisor – Personnel Services); and

BE IT FURTHER RESOLVED, to transfer \$1,500 from A1990.4 (Contingency) to A1220.1 (Supervisor – Personnel Services); and

BE IT FURTHER RESOLVED, to transfer \$700 from A1990.4 (Contingency) to A1310.1 (Director of Finance – Personnel Services); and

BE IT FURTHER RESOLVED, to transfer \$2,000 from A1990.4 (Contingency) to A1430.1 (Personnel – Personnel Services); and

BE IT FURTHER RESOLVED, to transfer \$6,000 from A1640.4 (Central Garage – Vehicles Refuse & Garbage) to A8160.2 (Refuse Garbage - Equipment).

RESOLUTION #161 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 June 7, 2018:

Charles S. Kalmbach, Jr., Bryan Pelkey, Mike Simeone

RESOLUTION #162 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 June 7, 2018:

Ben Brower & Elizabeth Kaptein

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RESOLUTION #163 RE: Purchase of Replacement Stake Body Vehicle

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

WHEREAS, included in the approved 2018 budget is the purchase of one (1) new Stake-Body Truck replacement for Public Works; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase from Van Bortel Ford of the Onondaga County Bid 7974 2019, Quote 27432, one (1) F-550 XL Reg Cab 4x4, at a cost not to exceed \$57,0000 to be paid from A8160.2 (Refuse and Garbage – Equipment).

RESOLUTION #164 RE: Purchase of Parks Groomer

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

WHEREAS, included in the approved 2018 budget is the purchase of one (1) new parks groomer; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase of a Ventrac DR540 Groomer off the Massachusetts State Contract #FAC88 from MTE Turf Equipment Solutions at a cost not to exceed \$5,000 to be paid from A7110.2 (Equipment - Parks).

RESOLUTION #165 RE: Amendment to State Snow and Ice Agreement

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

WHEREAS, the Town of Chili is under contract with the New York State Department of Transportation to provide snow and ice control on State roads within the Town; and

WHEREAS, due to the severity of the winter during 2017/2018, the total cost to perform this service is estimated at \$349,124.52; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Town Supervisor to execute an Amendment to the present Agreement. Said Amendment would increase the estimated cost to perform snow and ice control for the 2017/2018 season to a total amount of \$349,124.52.

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RESOLUTION #166 RE: Acceptance of Quote for Town Hall Renovation – Phase III

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

WHEREAS, five (5) quotes were received for the Town Hall Renovation - Phase III; and

WHEREAS, the quotes were tabulated as follows:

<u>Bidder</u>	<u>Total Bid</u>
MGL Construction	\$33,900
Stacy Brothers	\$34,100
King Family Construction	\$56,800
DeRisio Construction	\$56,875

WHEREAS, the Commissioner of Public Works/Superintendent of Highways has reviewed the submitted quotes and have made the determination that the proposal from MGL Construction best meets the intent of the specification and requirements of the town and is acceptable for the intended use and recommends that it be accepted; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Commissioner of Public Works, to accept the quote for the Town Hall Renovations from MGL Construction for a cost to not exceed \$40,000 to be paid from A1620.2000.0033 (Buildings – Equipment – Admin Facility Reserve).

RESOLUTION #167 RE: Purchase of Mini-Excavator

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

WHEREAS, the Town was awarded a State Municipal Facilities Grant in the amount of \$144,000 for the purchase of a Crawler Dozer and Mini-Excavator; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase one (1) new E55 T4 Compact Excavator from Bobcat of the Finger Lakes off NYS OGS Contract PC67141 for a cost not to exceed \$84,000 with \$59,000 of the cost to be paid from A8540.2 (Drainage -Equipment) and the remainder up to a maximum of \$25,000 to be paid from A8540.2000.0026 (Drainage – Equipment – General Equipment Reserve).

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RESOLUTION #168 RE: Letter of Credit Release #11 for Rose Hill, Phase 1

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$93,562.76 be released from the letter of credit #520005477 with Bank of Castile for Rose Hill, Phase 1, leaving a balance of \$284,844.99; subject to engineering fees and street light bills to the Town.

RESOLUTION #169 RE: Establish Letter of Credit for Union Street Industrial Park Phase I

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 Union Street Industrial Park – Phase I in the amount of \$336,096.00.

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.

RESOLUTION #170 RE: Special Counsel

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

WHEREAS, from time to time the Town encounters unsafe properties; and

WHEREAS, the Town desires to take appropriate action in remediating unsafe properties up to and including demolition; and

WHEREAS, the Town believes the cost of any and all expenses incurred from any such remediation should be recovered from the property owner/s of record; and

BE IT RESOLVED, that the Town Board authorizes the Supervisor to sign a retainer agreement and engage Woods Oviatt Gilman, as Special Counsel to act on behalf of the Town and its Officials to take any and all appropriate action in orders of remediation and cost recovery.

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RESOLUTION #171 RE: Set a Public Hearing to consider adoption of Local Law # _____ of 2018 amending Chapter 465 – Vehicles and Traffic of the Code of the Town of Chili

OFFERED BY: _____ SECONDED BY: _____

WHEREAS, §1650 of the Vehicle and Traffic Law authorizes Towns, in certain situations, to regulate and control traffic on roadways (exclusive of State highways); and

WHEREAS, the Highway Superintendent and Chili Traffic and Safety Committee have reviewed concerns from motorists, Parklands at Chili management and the Chili Fire Department in relation to on-street parking along both sides of Park Creek Lane and herby make a recommendation to prohibit on-street parking on both sides of Park Creek Lane for the full length of the road; and

WHEREAS, the Town Board passed Resolution #391 on December 4, 1996 authorizing regulatory devices at various locations in the Town as recommended by the Monroe County Department of Transportation; and

WHEREAS, the Monroe County Traffic Engineers have conducted a speed analysis along Wickens Road between Wheatland Center Road and Union Street and Brook Road between Humphrey Road and Scottsville Road; and

WHEREAS, the results of that study recommended that the existing speed limit of 55 mph on Wickens be adjusted to 45 mph and that the existing speed limit of 30 mph on Brook Road be adjusted to 40 mph; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Chili herby declares itself lead agency for SEQR review purposes and determines this Action to be a Type II Action; and

BE IT FURTHER RESOLVED, that Local Law # _____ of 2018 to amend Chapter 465 Vehicles and Traffic as indicated above is hereby introduced, and 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 11th day of July, 2018, at 7:00 p.m. to consider the said Local Law 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 Local Law 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 notice of said Public Hearing in the Democrat and Chronicle Newspaper 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) day(s) prior to the date set for said public hearing.

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RESOLUTION #172 RE: Transfer to Workers' Compensation Reserve

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

WHEREAS, the Workers' Compensation Reserve Fund was established December 2004 by Resolution 360 in accordance with General Municipal Law §6-j; and

WHEREAS, the Upstate New York Municipal Workers' Compensation Program (UNYMWCP) has completed its 2017 claims deficit/surplus analysis and it has been determined that the Town of Chili has surplus funds in the program and refunded to the Town of Chili \$306,908.00; and

WHEREAS, the Upstate New York Municipal Workers' Compensation Program (UNYMWCP) has completed its 2017 operating expense analysis which revealed a surplus and it has been determined by the UNYMWCP Board to refund to the Town of Chili \$63,602.00; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue budget A2683 (Self Insurance Recoveries) by an increase of \$370,510.00 and amend expense budget A9901.9000 (Interfund Transfers) by an increase of \$370,510.00; and

BE IT FURTHER RESOLVED, to transfer \$370,510.00 to the Workers' Compensation Reserve Fund.

RESOLUTION #173 RE: Transfer to Equipment Reserves

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

WHEREAS, an auction of equipment was held in May 2018 and the Town received proceeds of \$26,194.50 for the sale of that equipment; and

WHEREAS, it has been advantageous to transfer the auction proceeds to equipment reserves for future use; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue budget A2665 (Sales of Equipment) by an increase of \$14,044.50 and amend expense budget A9901.9000 (Interfund Transfers) by an increase of \$14,044.50; and

BE IT FURTHER RESOLVED, to transfer \$14,044.50 to the General Fleet Reserve; and

BE IT FURTHER RESOLVED, to amend revenue budget DA2665 (Sales of Equipment) by an increase of \$12,150.00 and amend expense budget DA9901.9000 (Interfund Transfers) by an increase of \$12,150.00; and

BE IT FURTHER RESOLVED, to transfer \$12,150.00 to the Highway Equipment Reserve.

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RESOLUTION #174 RE: SET PUBLIC HEARING FOR THE ADOPTION OF AN EXTENSION OF A SIX MONTH MORATORIUM ON MASSAGE THERAPY BUSINESS APPROVALS IN THE TOWN OF CHILI.

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

WHEREAS, on December 13, 2017 the Town Board of the Town of Chili adopted resolution # 275, a local law establishing a six month moratorium on certain land use applications for massage parlors, or similar uses, in the Town of Chili; and

WHEREAS, the Town Board has been actively reviewing and composing local codes for massage parlor businesses; and

WHEREAS, the Town of Chili requires additional time to complete the composition and approvals for said code; and

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing be set for July 11, 2018, at 7:00 p.m. to consider the adoption of a six month extension of Local Law #3 of the year 2017; and

BE IT FURTHER RESOLVED, that by this resolution all terms and conditions set forth by Local Law # 3 of the year 2017 be continued until such time the matter is brought before the Town Board for further consideration.

RESOLUTION #175 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 activity: Marcy Downey "Praise & Worship" on Friday, July 12; amount not to exceed \$500.

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RESOLUTION #176 RE: June 6, 2018 Abstract

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

WHEREAS, January 3, 2018 Resolution #1 authorized vouchers to be paid June 6, 2018, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 27989-27991, 28022-28023, 28035, 28038-28039, 28053-28056, 28065-28074, 28076, 28083-28084, 28089-28097, 28102-28103, 28113, 28116-28122, 28126-28145, 28150, 28153-28164, 28166-28172, 28183-28184, 28197, 28208-28215, 28218-28222, 28224-28229, 25247-28259 totaling \$182,352.88 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 27989-27991, 28022-28023, 28035, 28038-28039, 28053-28056, 28065-28074, 28076, 28083-28084, 28089-28097, 28102-28103, 28113, 28116-28122, 28126-28145, 28150, 28153-28164, 28166-28172, 28183-28184, 28197, 28208-28215, 28218-28222, 28224-28229, 25247-28259 were paid from the following funds:

General Fund	\$ 104,823.66
Highway Fund	60,347.61
Library Fund	1,907.64
Consolidated Drainage District	2,198.71
Street Lighting Districts	13,075.26
Total Abstract	<u>\$ 182,352.88</u>

The next meeting of the Chili Town Board will be Wednesday, July 11, 2018 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.