

Chili Town Board Meeting
July 11, 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.**

1. Local Law of 2018 Amending Chapter 465 – Vehicles & Traffic of the Code of the Town of Chili.
2. Local Law of 2018 Extension of a Six Month Moratorium on Massage Therapy Business Approvals.

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 – 6/13/2018

Reports Submitted –

Advanced Payment of Claims – June 2016
Building Department Report – June 2016
Monthly Financial Statement – May 2018
Parks & Recreation Minutes – 5/15/2018
Planning Board Minutes – 5/8/2018
Senior Center Report – June 2018

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #177 RE: SEQR Determination – Local Law#_____ of 2018 for the Extension of 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 2018 for the adoption of the Extension 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 Extension of a six month moratorium on Massage Therapy Business Approvals is to be considered a Type II action.

RESOLUTION #178 RE: Adoption of Local Law#_____ of 2018 for the Adoption of the Extension of a six month moratorium on Massage Therapy Business Approvals to the Town Code, 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 11th DAY OF JULY 2018, AT 7:00 P.M

WHEREAS, a proposed Local Law #_____of 2018 was introduced to the Town Board of the Town of Chili, by Councilman Slattery on the 13th day of June 2018; and

WHEREAS, at a meeting of the Chili Town Board held at the Town Hall in the Town of Chili, New York on the 11th day of July, 2018, a public hearing was held at the 7:00 p.m. to consider adoption of the proposed Local Law #_____of 2018 “to extend a six month moratorium on Massage Therapy Business Approvals; and

NOW, THEREFORE, BE IT RESOLVED, that the Local Law #_____of 2018 is hereby enacted by the Town Board of the Town of Chili.

Duly put to a vote as follows:

Present:	Supervisor Dunning	voting	_____
	Councilman Brown	voting	_____
	Councilman DeCory	voting	_____
	Councilman Slattery	voting	_____
	Councilwoman Sperr	voting	_____

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RESOLUTION #179 RE: Authorizing the Town of Chili to enter into an agreement with the New York State Thruway Authority to sell E-ZPass Tags.

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

WHEREAS, the Town of Chili Clerk's Office wishes to retail E-ZPass Tags through the New York State Thruway Authority's E-ZPass On-the-Go Program; and

WHEREAS, the Town of Chili Clerk's Office will purchase E-ZPass tags for the cost of \$21.00 per Tag from the Thruway Authority and sell the Tags at a cost of \$25.00 per tag, allowing the Town of Chili to keep \$4.00 per sale; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili hereby authorizes the Town of Chili Clerk's Office to enter in an agreement with the New York State Thruway Authority to sell E-ZPass Tags provided all legal requirements are complied with, pending review of counsel.

RESOLUTION #180 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 \$500 donation from Diane Haws in Memory of her father Deane Brewer to be deposited in the Senior Center Trust and Agency Account.

RESOLUTION #181 RE: Donation in the Memory of Ravi Dial

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

WHEREAS, the Town and Chili Recreation have received a \$3,000 donation in the memory of Ravi Dial, which is to be used to fund equipment and programming for the Chili Recreation Peewee Golf and Lacrosse programs; and

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

BE IT FURTHER RESOLVED, to amend the 2018 revenue budget A2089 (Other Culture & Recreation) by an increase of \$3,000.00; and amend the 2018 expense budget A7310.4 (Youth Programs – Future Programming) by an increase of \$3,000.00.

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RESOLUTION #182 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 use funds from said account to offset the cost of the following activities: Clambake (date pending), Marcy Downey Concert, (September 28th), cost will not exceed \$500.00.

RESOLUTION #183 RE: Amend Resolution #165, “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, the New York State Department of Transportation has advised the Town that the previous agreement estimate did not include fixed costs of \$13,134.54; and

WHEREAS, as a result of this change it’s necessary to amend resolution #165 to include the \$13,134.54 fixed costs; and

WHEREAS, due to the severity of the winter during 2017/2018, the total cost to perform this service is now estimated at \$362,259.06; 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 \$362,259.06.

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RESOLUTION #184 RE: Standard Work Day and Reporting Resolution for Elected and Appointed Officials

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

BE IT RESOLVED, that the town of Chili hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Name	Standard Work Day (Hrs/Day)	Term Begins/Ends	Participates in Employer's Time Keeping System	Days/Month (based on Record of Activities)
ELECTED OFFICIALS					
Town Supervisor	David Dunning	7	01/01/2018 – 12/31/2019	N	23.40
Town Clerk/ Tax Receiver	Virginia Ignatowski	7	01/01/2018 – 12/31/2019	N	22.24
Deputy Supervisor (and Councilman)	Michael Slattery	6	01/01/2018 – 12/31/2019	N	5.6
Board Member	Mark DeCory	6	01/01/2016 – 12/31/2021	N	3.5
Board Member	Mary Sperr	6	01/01/2018 – 12/31/2021	N	5.27
APPOINTED OFFICIALS					
Stenographer	Sandra Hewlett	6	01/01/2018 – 12/31/2019	N	3.96
Conservation Board Member	Jill Fornarola	6	01/01/2018 – 12/31/2019	N	.42
Parks and Rec committee member	Guy Puglia	6	01/01/2018 – 12/31/2020	N	1.5
Zoning Board member	James Valerio	6	02/01/2018– 12/31/2024	N	.51
Parks and Rec committee member	Melissa Cunningham	6	2/14/2018 – 12/31/2019	N	.67

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RESOLUTION #185 RE: AUTHORIZING THE APPLICATION BY GENESEE LAND TRUST UNDER THE NYS FARMLAND PROTECTION IMPLEMENTATION GRANT PROGRAM TO OBTAIN CONSERVATION EASEMENTS FOR THE STEIMER FARM AND AUTHORIZING THE TOWN SUPERVISOR TO SIGN A LETTER ENDORSING THE APPLICATION

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

WHEREAS, the Town Board of the Town of Chili supports the NYS Farmland Protection Implementation Grant Program (FPIGP) administered by the NYS Department of Agriculture & Markets; and

WHEREAS, William Steimer submitted a Pre-Application to the Genesee Land Trust expressing interest in placing conservation easements on the two parcels that comprise the Steimer Farm in the Town of Chili, one of which is owned by William Steimer and one owned by David Robinson; and

WHEREAS, Genesee Land Trust received numerous Pre-Applications from landowners interested in participating in the FPIGP and identified the Steimer Farm as among the most competitive in the region; and

WHEREAS, Genesee Land Trust intends to submit an application for funding through the FPIGP to obtain conservation easements for the Steimer Farm; and

WHEREAS, as William Steimer serves as an appointed member of the Town's Conservation Board, there could be an appearance of a potential conflict of interest between the Town Board and/or individual Town Board members and William Steimer; and

WHEREAS, neither the Chili Town Board nor any of its members of the Chili Town Board have identified any conflicts of interest relating to the endorsement of the Steimer Farm for funding through the Farmland Protection Implementation Grant Program; and

WHEREAS, no potential conflicts of interest have been identified between the Town Board and/or individual Town Board members and David Robinson; and

WHEREAS, the purchase of development rights to farmland is identified as a recommended action in the Town of Chili's Agricultural & Farmland Protection Plan, which was adopted in 2015; and

NOW THEREFORE, LET IT BE RESOLVED, that the Town Board hereby:

- 1) authorizes Genesee Land Trust to submit the application for funding to obtain conservation easement for the Steimer Farm; authorizes the Town Supervisor to sign a letter endorsing the grant application.

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RESOLUTION #186 RE: Community Center Financial Consultants

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

WHEREAS, the firm of Bernard P Donegan, Inc. was designated financial consultant for the Town by Resolution # 9, on January 3, 2018; and

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Dunning be authorized to enter into an agreement with Bernard P. Donegan, Inc. in connection with the Community Center project.

RESOLUTION #187 RE: Establishment of Community Center Project

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

WHEREAS, on June 19, 2018, the Town held a referendum regarding the construction of a new Community Center, as proposed in Resolution #141, dated April 11, 2018; and

WHEREAS, the referendum was successfully passed; and

NOW, THEREFORE, BE IT RESOLVED, to establish a capital project (H60) for the new Community Center; and

BE IT FURTHER RESOLVED, to amend expense budget A9950.9 (Transfer to Capital Projects) by an increase of \$1,506,000; and

BE IT FURTHER RESOLVED, to transfer \$1,506,000 from the Recreation Building Reserve to the Community Center project (H60); and

BE IT FURTHER RESOLVED, to close the Recreation Building Reserve.

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RESOLUTION #188 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 July 5, 2018:

Edmund Mederski, Jr.

RESOLUTION #189 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 July 5, 2018:

Tyler Nucci

RESOLUTION #190 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 July 5, 2018:

Joe A. Steimer, Jr.

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RESOLUTION #191 RE: June 20, 2018 Abstract

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

WHEREAS, January 3, 2018 Resolution #1 authorized vouchers to be paid June 20, 2018, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 27662, 27863, 28165, 28264-28269, 28271-28280, 28282, 28284, 28293, 28296-28320, 28322-28396 totaling \$120,061.26 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 27662, 27863, 28165, 28264-28269, 28271-28280, 28282, 28284, 28293, 28296-28320, 28322-28396 were paid from the following funds:

General Fund	\$	88,216.26
Highway Fund		30,882.75
Consolidated Drainage District		648.00
Park Districts		314.25
Total Abstract	\$	<u>120,061.26</u>

RESOLUTION #192 RE: July 4, 2018 Abstract

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

WHEREAS, January 3, 2018 Resolution #1 authorized vouchers to be paid July 4, 2018, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 27916, 28042-28043, 28045-28052, 28057, 28059, 28064, 28104-28105, 28146, 28151-28152, 28173, 28175-28182, 28185-28196, 28198-28207, 28216-28217, 28223, 28230-28244, 28246, 28262-28263, 28283, 28287-28288, 28410-28419, 28421, 28423-28431, 28433, 28442, 28454-28460, 28462-28523, 28525-28526 totaling \$135,658.83 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 27916, 28042-28043, 28045-28052, 28057, 28059, 28064, 28104-28105, 28146, 28151-28152, 28173, 28175-28182, 28185-28196, 28198-28207, 28216-28217, 28223, 28230-28244, 28246, 28262-28263, 28283, 28287-28288, 28410-28419, 28421, 28423-28431, 28433, 28442, 28454-28460, 28462-28523, 28525-28526 were paid from the following funds:

General Fund	\$	83,354.25
Highway Fund		32,971.95
Library Fund		2,149.73
H56 Annual Assessment Project		1,750.00
Consolidated Drainage District		1,407.20
Street Lighting Districts		13,525.70
Private Purpose Trust		500.00
Total Abstract	\$	<u>135,658.83</u>

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The next meeting of the Chili Town Board will be Wednesday, August 15, 2018 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.