

Chili Town Board Meeting
November 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:

1. Presentation of Colors by Cub Scout Troop #292.

F. Public Hearings: **Anyone wishing to be heard at a public hearing, please step up to the podium.**

1. Local Law of 2018 to Authorize the Addition of Massage Business & Amend Chapter 500, Article III, District Regulations and Article XV, Word Usage & Difications of the Town of Chili Town Code.
2. Public Hearing on Demolition or Repair of Structure(s) at 2852 Chili Avenue.

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 – 10/17/2018

Reports Submitted –

2030 Comprehensive Plan Minutes – 5/14/2018
Advanced Payment of Claims – October 2018
Architectural Advisory Committee Minutes –
Building Department Report – October 2018
Conservation Board Minutes – 10/1/2018
Dog Control Reports – October 2018
Drainage Committee Minutes – (Cancelled November & December Meetings).
Library Board Minutes – 8/28/2018, 9/25/2018
Monthly Financial Report – September 2018
Parks & Recreation Minutes – 9/18/2018
Planning Board Minutes –
Recreation Center Report – October 2018
Senior Center Report – October 2018
Town Clerk Report – October 2018
Zoning Board Minutes – 8/28/20018, 9/25/2018

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #241 RE: Traffic & Safety Committee

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

BE IT RESOLVED, that Jason Marsherrall shall be appointed to the Traffic & Safety Committee to complete the term of Robert Mulcahy term to expire on December 31, 2019.

RESOLUTION #242 RE: Purchase and Installation Community Center Construction Site Camera

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

WHEREAS, the Town of Chili is building a new Community Center in an isolated area and the Town would benefit from an on-site security camera presence; and

WHEREAS, the residents of the Town of Chili would benefit from the ability to watch the progression of the construction project if the security camera video feed was available online; and

WHEREAS, the equipment used to implement the security camera solution is needed for the completed Community Center and will be repurposed once construction is complete, thereby minimizing the cost of this solution; and

WHEREAS, the Director of Management Information Services has completed the engineering of a wireless security camera solution and had received three quote/proposals for the purchase and implementation of the wireless camera solution, and has determined that the solution proposed by Upstate Communications and Security is the most cost effective solution for the long term; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to contract with Upstate Communications and Security for equipment and installation of the wireless security camera solution for a cost not to exceed \$6604, to be paid from Account H7180.2000.0060 (Community Center Project).

| | |
|-------------------------------------|------------|
| Upstate Communications and Security | \$6604.00 |
| R-Options | \$12532.77 |
| EarthCam.net | \$3192.00 |
| Requires \$250 monthly service fee | |

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RESOLUTION #243 RE: Purchase of Computer Equipment

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

WHEREAS, the Director of Management Information Services has determined that the Town needs to replace obsolete computer equipment that has passed its useful life; and

WHEREAS, the replacement of said equipment is in accordance with the Town's plan to replace obsolete computer equipment on a rotating basis; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Management Information Services is hereby authorized to purchase (8) new desktop computers and (2) laptop with dock to replace obsolete equipment for a sum not to exceed \$TBD from Account 01.1680.0002 (Information Technology - Equipment) from TBD, a computer systems vendor under New York State contract; and

BE IT FURTHER RESOLVED, that the equipment being replaced and other outstanding obsolete IT equipment is hereby declared to be surplus equipment and that the Director of Management Information Services is hereby authorized to disposed of said equipment.

RESOLUTION #244 RE: Transfer to Equipment Reserves

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

WHEREAS, an auction of equipment was held in October 2018 and the Town received proceeds of \$26,761.50 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 \$661.50 and amend expense budget A9901.9000 (Interfund Transfers) by an increase of \$661.50; and

BE IT FURTHER RESOLVED, to transfer \$661.50 to the General Fleet Reserve; and

BE IT FURTHER RESOLVED, to amend revenue budget DA2665 (Sales of Equipment) by an increase of \$26,100.00 and amend expense budget DA9901.9000 (Interfund Transfers) by an increase of \$26,100.00; and

BE IT FURTHER RESOLVED, to transfer \$26,100.00 to the Highway Equipment Reserve.

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RESOLUTION #245 RE: Authorizing Surety, Form, and Amount of Official Undertaking for the Faithful Performance of the Duties of the Town Clerk and Receiver of Taxes and Assessments

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

BE IT RESOLVED, as follows:

Section 1. The Town Board hereby approves the surety, form, and amount of the official undertaking for the faithful performance of the duties of the Town Clerk and Receiver of Taxes and Assessments as follows:

Type of Undertaking: Government - Form P-Faithful Performance

Insurance company: Utica National Insurance Group

Amount: \$500,000

Section 2. A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law Section 25.

RESOLUTION #246 RE: Adopting Assessment Rolls for 2019 for Lighting Districts, Drainage District, Fire District, Fire Protection Districts, Ambulance District, Water District, Park District, Sidewalk Districts and Sewer District

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

WHEREAS, this Board on October 17, 2018 commencing at 7:00 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2019, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance district, water district, park district, sidewalk districts, and sewer district for 2019, and having heard all persons desiring to be heard in the matter and said assessment rolls for said fiscal year having been fully discussed and considered by the Town Board acting on behalf of all said Districts; and

BE IT RESOLVED, that the assessment rolls for 2019 for the various lighting districts, drainage district, fire district, fire protection districts, ambulance district, water district, park district, sidewalk districts, and sewer district, as printed in the preliminary budget, are hereby adopted and established as the final assessment rolls for the fiscal year beginning January 1, 2019; and

BE IT FURTHER RESOLVED, that said assessment rolls be and the same hereby are filed in the Office of the Town Clerk.

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RESOLUTION #247 RE: Adoption of the Annual Town Budget for 2019

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

WHEREAS, this Board on October 17, 2018 commencing at 7:00 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2019, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance district, water district, park district, sidewalk districts, and sewer district for 2019, and having heard all persons desiring to be heard in the matter of the budget for this Town for such fiscal year having been fully discussed and considered; and

BE IT RESOLVED, that said preliminary budget is approved and filed, including the budgets for the lighting districts, drainage district, fire protection districts, ambulance district, water district, park district, sidewalk districts, and sewer district for 2019, and that such annual budget is so adopted as detailed in the minutes of the proceedings of this Town Board; and

BE IT FURTHER RESOLVED, that the salaries of the elected officials included in the 2019 budget and as set forth in the published notice are adopted as published; and

BE IT FURTHER RESOLVED, that the Town Clerk shall prepare and certify as provided by law, triplicate copies of the said annual budget hereby adopted and deliver one such copy to the Supervisor of the Town and two copies to the County of Monroe as required by law.

RESOLUTION #248 RE: Close Out 2018 Assessment Roll Update

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

WHEREAS, all work has been completed and all payments have been made for the 2018 Assessment Roll Update; and

NOW, THEREFORE, BE IT RESOLVED, to close out the 2018 Assessment Roll Update and transfer remaining cash balance of \$1,762.47 from H56 to the Assessment Reserve.

RESOLUTION #249 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 from the exempt list effective November 5, 2018:

Julian Farinacci & Nicholas Jobe

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RESOLUTION #250 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 see below:

Ashley Chapman 10/26/2018, David Duthoy 10/6/2018, Nicholas Holley 10/4/2018, Chance Wright 10/30/2018

RESOLUTION #251 RE: Municipal Waste Reduction & Recycling (MWRR) Grant

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

WHEREAS, the as part of the 2016 budget the Town of Chili purchased a trailer mounted leaf vacuum and apprentice loader which are used for the purpose of reducing and recycling municipal waste in the Town; and

WHEREAS, in 2015 the Town submitted an application to the New York State Department of Environmental Conservation Division of Material Management, Bureau of Permitting and Planning for the Municipal Waste Reduction & Recycling (MWRR) State Assistance Program to offset the cost of the leaf vacuum and apprentice loader; and

WHEREAS, the grant has been approved and the Town has received funds in the amount of \$57,032.05; and

WHEREAS, the Highway Equipment Reserve was established May 1992, to aid in the acquisition of Highway Department vehicles and equipment for Town; and

WHEREAS, the General Fleet Reserve was established January 1998, by Resolution 136 to aid in the acquisition of vehicles and equipment for the Town which is outside the parameters of equipment reserves already established for Highway Department vehicles and equipment; and

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

BE IT FURTHER RESOLVED, to amend revenue budget A3089 (State Aid - Other) by an increase of \$15,525.75 and amend expense budget A9901.9000 (Interfund Transfers) by an increase of \$15,525.75; and

BE IT FURTHER RESOLVED, to transfer \$15,525.75 to the General Fleet Reserve; and

BE IT FURTHER RESOLVED, to amend revenue budget DA3089 (State Aid – Other) by an increase of \$41,506.30 and amend expense budget DA9901.9000 (Interfund Transfers) by an increase of \$41,506.30; and

BE IT FURTHER RESOLVED, to transfer \$41,506.30 to the Highway Equipment Reserve.

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RESOLUTION #252 RE: Granting of Easement to Monroe County – 200 Beaver Road

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

WHEREAS, Monroe County, as part of the County Fiber Project, provided a fiber optic communication connection cable to the Highway and Public Works facility at 200 Beaver Road in order to facilitate and support the Towns communication and data needs; and

WHEREAS, Monroe County is seeking a Permanent Easement from the Town of Chili over the fiber optic cable, all as depicted, described and set forth on Exhibit A annexed here to; and

WHEREAS, the purpose of said easement is to lay, construct, reconstruct, increase, enlarge, raise, lower, erect, relocate, inspect, maintain, protect, move, operate, repair and replace at its discretion; any and all conduits, tunnels, manholes, wires, cables, meters, transformers, switching equipment, and all other appurtenances and fixtures which the Grantee shall require now and in the future within the easement for fiber optic communication purposes; and

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the Attorney for the Town Board of the Town of Chili, the Town of Chili shall grant to Monroe County a permanent easement for the purpose of maintenance of the existing fiber optic cable located at 200 Beaver Road, Churchville, NY 14428, Town of Chili, New York. The easement to be granted is depicted on a survey map made by Gregory D. Bly L.S., Monroe County Surveyor, dated April 19, 2016; as set forth on Exhibit A annexed here to; and

BE IT FURTHER RESOLVED, the Supervisor of the Town of Chili, is hereby authorized and directed to execute, on behalf of the Town of Chili, all necessary documents relating to the granting of the easement after the documentation has been reviewed and approved by the Attorney for the Town Board.

RESOLUTION #253 RE: Authorization to Advertise for Bids for Access Road, Pad Construction and Associated Site Work for New Community Center

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

WHEREAS, Passero Associates is preparing the necessary design plans and bid specifications for the work involved; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the advertisement for bids for access road construction, pad construction and associated site work for new the Community Center.

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RESOLUTION #254 RE: Authorize Supervisor to Sign Contract for Community Development Block Grant (CDBG) – Hubbard Park Pavilion Project

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

WHEREAS, the Town has received notification from Monroe County that the Hubbard Park Pavilion Project will be funded by the 2019 Community Development Block Grant Program (CDBG) in the amount of \$33,000; and

NOW THEREFORE BE IT RESOLVED, to accept the CDBG grant and to authorize the Supervisor to sign the contract and certification subject to the review and approval of Counsel for the Town; and

BE IT FURTHER RESOLVED, to amend the 2018 revenue budget A2706 (Grants from Local Governments) by an increase of \$33,000; and amend the 2018 expense budget A7110.4 (Parks - Construction) by an increase of \$33,000.

RESOLUTION #255 RE: Letter of Credit Release #12 for Rose Hill, Phase 1

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$58,000.00 be released from the letter of credit #520005477 with Bank of Castile for Rose Hill, Phase 1, leaving a balance of \$226,844.94; subject to engineering fees and street light bills to the Town.

RESOLUTION #256 RE: Settlement

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

WHEREAS, the Town's special counsel has recommended settlement of litigation involving the Town of Chili commenced by Pando Vasilovski, Index #2017-518; and

WHEREAS, acceptance of this recommended settlement of the action, at this time, is in the best interests of the taxpayers of the Town of Chili; and

NOW, THEREFORE, BET IT RESOLVED, that the Town's special counsel, Evans and Fox, LLP and the Supervisor are hereby authorized to execute the necessary paperwork to settle the action commenced by Pando Vasilovski, Index #2017-518 and to take any other appropriate steps to settle said litigation as set forth in a stipulation of settlement.

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RESOLUTION #257 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 \$99.00 donation from Lisa and Peter Darling, \$80 donation in memory of Betty Best, and \$40 donation in memory of Tony Personale to be deposited in the Senior Center Trust and Agency.

RESOLUTION #258 RE: 2018 Budget Amendments

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

BE IT RESOLVED, to transfer \$2,500 from A1990.4 (Contingency) to A1450.4 (Elections – Election Day Inspectors); and

BE IT FURTHER RESOLVED, to transfer \$6,000 from A8540.4 (Drainage – Storm Water Reg Compliance) to A5182.4 (Street Lighting – Street Light Pole Replacement).

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RESOLUTION #259 RE: November 7, 2018 Abstract

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

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

WHEREAS, Council did authorize by a majority vote vouchers 29521, 29523, 29530, 29533, 29594, 29599-29605, 29614, 29739, 29746-29751, 29754-29756, 29759-29769, 29771-29814, 29816-29826, 29828-29849 totaling \$197,088.71 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 29521, 29523, 29530, 29533, 29594, 29599-29605, 29614, 29739, 29746-29751, 29754-29756, 29759-29769, 29771-29814, 29816-29826, 29828-29849 were paid from the following funds:

| | | |
|--------------------------------|-----------|-------------------|
| General Fund | \$ | 91,290.06 |
| Admin Facility Reserve | | 2,575.51 |
| Highway Fund | | 51,184.53 |
| Library Fund | | 2,668.37 |
| H45 Widener Park | | 3,985.20 |
| H52 Union Station Park | | 911.52 |
| H56 Annual Assessment Project | | 750.00 |
| H60 Community Center | | 23,822.72 |
| Consolidated Drainage District | | 2,802.68 |
| Fire Protection Districts | | 3,200.00 |
| Street Lighting Districts | | 13,823.12 |
| Private Purpose Trust | | 75.00 |
| Total Abstract | <u>\$</u> | <u>197,088.71</u> |

The next meeting of the Chili Town Board will be Wednesday, December 12, 2018 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.