

Chili Town Board Meeting

December 12, 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 – 11/14/2018

Reports Submitted –

- 2018 Y/E Report Architectural Advisory Committee
- 2018 Y/E Report Assessor
- 2018 Y/E Report BAR
- 2018 Y/E Report Building Department
- 2018 Y/E Report Conservation Board
- 2018 Y/E Report Drainage Committee
- 2018 Y/E Report Ethics
- 2018 Y/E Report Finance
- 2018 Y/E Report Historian
- 2018 Y/E Report Historic Preservation Board
- 2018 Y/E Report Library
- 2018 Y/E Report MIS
- 2018 Y/E Report Planning Board
- 2018 Y/E Report Parks & Recreation Committee
- 2018 Y/E Report Recreation Department
- 2018 Y/E Report Senior Center
- 2018 Y/E Report Town Clerk
- 2018 Y/E Report Traffic & Safety
- 2018 Y/E Report Zoning Board
- 2030 Comprehensive Plan Minutes – 10/24/2018
- Advanced Payment of Claims – November 2018
- Architectural Advisory Committee Minutes – 10/9/2018
- Building Department Report – November 2018
- Dog Control Reports – November 2018
- Historic Preservation Board Minutes – 10/15/2018
- Library Board Minutes – 10/23/2018
- Monthly Financial Report – October 2018
- Parks & Recreation Minutes – 10/16/2018
- Planning Board Minutes – 10/9/2018
- Recreation Center Report – November 2018
- Senior Center Report – November 2018
- Town Clerk Report – November 2018
- Traffic & Safety Committee Minutes – 11/1/2018

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J. Correspondence –

1. The Town of Chili has received notification from William Goebel, Highway Department that he is resigning effective November 21, 2018.
2. The Town of Chili has received notification from Joseph Schweigert, Court that he is resigning effective December 17, 2018.

K. Pending Business

L. Old Business

M. New Business

**RESOLUTION #260 RE: ADOPTION OF LOCAL LAW#____ OF 2018 ENTITLED
“Addition of Massage Business and Amend Chapter 500, Article III, District
Regulations and Article XV, Word Usage and Definitions of the Town of Chili
Town Code”.**

OFFERED BY: _____ SECONDED BY: _____

WHEREAS, a proposed Local Law #____ of the year 2018 entitled “Addition of Massage Business and Amend Chapter 500, Article III, District Regulations and Article XV, Word Usage and Definitions of the Town of Chili Town Code” was introduced to the Town Board of the Town of Chili by Councilman Slattery on the 17th day of October, 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 14th day of November, 2018, a public hearing was held at 7:00 p.m. to consider adoption of the proposed Local Law #____ of the year 2018 entitled “Addition of Massage Business and Amend Chapter 500, Article III, District Regulations and Article XV, Word Usage and Definitions of the Town of Chili Town Code” to said Local Law; and

NOW THEREFORE, Local Law #____ of 2018, as amended is hereby enacted by the Town Board of the Town of Chili.

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RESOLUTION #261 RE: To Order Demolition of Structures at 2852 Chili Avenue Owned By Igor Podzorov

OFFERED BY: _____ SECONDED BY: _____

WHEREAS, the Building Department Manager of the Town of Chili has filed his report in writing with the Town Board of the Town of Chili containing his findings and recommendations regarding certain structures situate on premises at 2852 CHILI AVENUE, TOWN OF CHILI, NY designated by Tax Map No. 133.20-1-62, in which report said Building Department Manager states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate demolition and removal; and

WHEREAS, the Town Board of the Town of Chili having held a public hearing(s) on November 14, 2018 and all interested parties having had an opportunity to be heard; and

WHEREAS, the Town Board of the Town of Chili after reviewing said report in regard thereto and after having duly deliberated upon the same, and having determined that the recommendations of said report should be implemented; and

NOW, THEREFORE, BE IT RESOLVED, that the proposed Order attached hereto is hereby adopted, subject to review and final approval of counsel of the town.

UNSAFE BUILDINGS: ORDER TO REPAIR/REMOVE AFTER PUBLIC HEARING

TOWN OF CHILI COUNTY OF MONROE
STATE OF NEW YORK

IN THE MATTER

OF ORDER 2852 CHILI AVENUE, ROCHESTER, NY 14624

PROCEEDINGS TO REMOVE AND/OR REPAIR UNSAFE
BUILDINGS AND COLLAPSED STRUCTURES
ON PREMISES REPUTEDLY OWNED
BY IGOR PODZOROV

TO IGOR PODZOROV:

THE FOLLOWING IS AN ORDER OF THE TOWN BOARD OF THE TOWN OF CHILI, after conducting Public Hearing(s) held on November 14, 2018, in the above captioned matter;

Now upon the Building Department Manager of the Town of Chili, Monroe County, having filed a written report with the Town Board of the Town of Chili, regarding property located at 2852 Chili Avenue, designated by Monroe County, Tax Map No. 133.20-1-62, deeming the same to be unsafe to the public a copy of which is attached and incorporated herein.

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And the Town Board of the Town of Chili, after considering said report, and pursuant to the provisions of said local law, by resolution duly adopted at its October 17, 2018 meeting did set the date for Public Hearing(s), to determine whether, in the opinion of the Town Board of the Town of Chili that said structures or buildings are unsafe and dangerous and should be secured in the manner requested by the Building Department Manager.

And the Notice of the Public Hearing was published in the Official Newspaper of the Town of Chili on November 1, 2018.

And a copy of the Notice of Public Hearing was affixed to the building(s) in question on October 23, 2018.

And a copy of the Notice of Public Hearing was mailed to the property owners on October 23, 2018.

And upon the Public Hearing(s) having been held on November 14, 2018, all exhibits and evidence and testimony presented therein and all interested parties having had an opportunity to be heard.

Now, therefore it is:

ORDERED, that

The remains of the home and garage foundations should be demolished and all debris produced by such demolition should be removed from the property and safely disposed of in an appropriate land fill. After demolition, the excavation should be filled with clean fill and brought level with the grade of the parcel.

All brush and grass should be cut and cleared and the clippings removed from the property and safely disposed of in an appropriate land fill, and

ORDERED, all work, repairs and/or removal must be commenced within 20 days of the service upon you of this ORDER and be completed within 45 days thereafter unless for good cause shown such time shall be extended by the Town of Chili Building Department Manager, and

ORDERED, that in the event of any neglect or refusal to comply with this ORDER of said TOWN BOARD OF THE TOWN OF CHILI as detailed herein, the Town Board of the Town of Chili is authorized to provide for the demolition and/or removal of said structures and to assess all expenses thereof against the land on which they are located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

Dated: _____

Virginia Ignatowski
Town Clerk
Town of Chili

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RESOLUTION #262 RE: Fire and Ambulance Contracts

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

BE IT RESOLVED, that Supervisor Dunning be authorized to sign Fire and Ambulance Contracts in accordance with the 2019, budgeted amounts, pending review of counsel.

RESOLUTION #263 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 December 10, 2018:

Evan Engelbrecht & Calvin Nau

RESOLUTION #264 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 November 12, 2018:

Blake Herring

RESOLUTION #265 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 St. Pius Seasoned People to be deposited in the Senior Center Trust and Agency.

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RESOLUTION #266 RE: Set a Public Hearing to consider adoption of Local Law # _____ of 2019 Addition to Chapter 451, Article VIII, “Cold War Veterans Exemption” of the Town Chili Town Code

OFFERED BY: _____ SECONDED BY: _____

BE IT RESOLVED, that Local Law # _____ of 2019 to authorize the Addition to Chapter 451, Article VIII “Cold War Veterans Exemption” of the Town of Chili Town Code 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 16th day of January, 2019, 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

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

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 Official Publication Newspaper of the Town 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.

RESOLUTION #267 RE: Monroe County Snow & Ice Agreement

OFFERED BY: _____ SECONDED BY: _____

BE IT RESOLVED, to authorize the Town Supervisor to execute an Intermunicipal Agreement with the County of Monroe to provide snow and ice control on all County roads within the Town of Chili; and

BE IT FURTHER RESOLVED, that this Agreement is to be for a five year period commencing on October 1, 2018 with the total estimated payment from the County for the 2018/2019 season of \$205,612.90. Each year the rate of reimbursement will be adjusted for labor, equipment, and materials based upon a review of the previous year’s actual costs and formulas to be mutually agreed upon as indicated within the Agreement.

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RESOLUTION #268 RE: Letter of Credit Release #4 for King Forest Section 6, Phase A

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer, \$15,706.73 be released from the letter of credit #520005369 with Bank of Castile for King Forest Section 6, Phase A, leaving a balance of \$16,464.97; subject to engineering fees and street light bills to the Town.

RESOLUTION #269 RE: Letter of Credit Release #7 for Carriage House, Section 3

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$8,437.50 be released from the letter of credit #520005347 with Bank of Castile for Carriage House, Section 3, leaving a balance of \$107,146.20; subject to engineering fees and street light bills to the Town.

RESOLUTION #270 RE: 2018 Budget Amendments

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

BE IT RESOLVED, to transfer \$150 from A5010.4 (Supt of Highway – Miscellaneous) to A5010.1 (Superintendent of Highway - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$4,000 from A7110.4 (Parks – Parks Security Guards) to A7110.1 (Parks - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$200 from A1410.4 (Town Clerk – General Code Updates) to A1330.1 (Tax Collector - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$225 from A1410.4 (Town Clerk – General Code Updates) to A1410.1 (Town Clerk - Personnel).

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RESOLUTION #271 RE: November 21, 2018 Abstract

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

WHEREAS, January 3, 2018 Resolution #1 authorized vouchers to be paid November 21, 2018, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 29522,29524, 29531-29532, 29585, 29606-29613, 29615-29627, 29629-29669, 29672-29690, 29692, 29695-29706, 29708-29727, 29740-29744, 29753, 29815, 29827, 29850, 29854-29856, 29860, 29862-29868, 29871-29873, 29875, 29879, 29883-29941, 29948-29982, 29986-29990 totaling \$234,734.88 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 29522,29524, 29531-29532, 29585, 29606-29613, 29615-29627, 29629-29669, 29672-29690, 29692, 29695-29706, 29708-29727, 29740-29744, 29753, 29815, 29827, 29850, 29854-29856, 29860, 29862-29868, 29871-29873, 29875, 29879, 29883-29941, 29948-29982, 29986-29990 were paid from the following funds:

General Fund	\$ 86,708.00
Admin Facility Reserve	20,506.08
Comprehensive Plan Reserve	1,560.00
Highway Fund	117,521.60
H45 Widener Park	7,100.00
Private Purpose Trust	1,339.20
Total Abstract	<u>\$ 234,734.88</u>

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RESOLUTION #272 RE: December 5, 2018 Abstract

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

WHEREAS, January 3, 2018 Resolution #1 authorized vouchers to be paid December 5, 2018, by all Council signing a waiver form;
and

WHEREAS, Council did authorize by a majority vote vouchers 29538, 29942, 29945, 29995-29996, 30000-30001, 30004-30008, 30018-30021, 30030, 30034-30035, 30042-30067, 30069-30116, 30118-30120 totaling \$845,005.78 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 29538, 29942, 29945, 29995-29996, 30000-30001, 30004-30008, 30018-30021, 30030, 30034-30035, 30042-30067, 30069-30116, 30118-30120 were paid from the following funds:

General Fund	\$ 402,260.68
Admin Facility Reserve	2,042.36
Highway Fund	248,171.44
Library Fund	83,911.37
H52 Union Station Park	2,820.50
H60 Community Center	90,012.24
Consolidated Drainage District	1,251.59
Street Lighting Districts	13,535.60
Private Purpose Trust	1,000.00
Total Abstract	<u>\$ 845,005.78</u>

The next meeting of the Chili Town Board will be recessed until Wednesday, December 31, 2018 at 12:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.