

Chili Town Board Meeting
January 16, 2019
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 2019 Addition to Chapter 451, Article VII, “Cold War Veterans Exemption” of the Town of Chili Town Code.

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 – 12/12/2018, 12/31/2018

Reports Submitted –

Advanced Payment of Claims – December 2018
Building Department Report – December 2018, Y/E Report 2018
Conservation Board Minutes – 12/3/2018
Dog Control Reports – Y/E Report 2018
Drainage Committee Minutes – 9/4/2018
Recreation Center Report – December 2018
Senior Center Report – December 2018
Town Clerk Report – December 2018

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #92 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)
APPOINTED	OFFICIALS				
Drainage Committee Member	Nicholas Sanguedolce	6	01/01/2019 – 12/31/2021	N	.25

RESOLUTION #93 RE: Use of Workers Compensation Reserve

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

WHEREAS, the Workers Compensation Reserve was established in 2004 in accordance with General Municipal Law §6-j; and

WHEREAS, in an effort to reduce the tax burden and utilize the Town's reserves, the 2019 budget for workers' compensation was lowered, and excessive premiums were to be paid from the Workers' Compensation Reserve; and

NOW, THEREFORE, BE IT RESOLVED, to amend budget A9040.8000.0090 (Workers' Compensation – Reserve) by an increase of \$100,000.00.

RESOLUTION #94 RE: Senator Ranzenhofer Bullet Aid

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

WHEREAS, the Chili Public Library has been awarded a \$15,000.00 grant for 2018-2019 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

NOW, THEREFORE, BE IT RESOLVED, to increase revenue account L3840 (State Aid for Libraries) by \$15,000.00 and expense account L7410.2 (Library- Equipment) by \$15,000.00.

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RESOLUTION #95 RE: 2019 Budget Amendments – Grants

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

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, 2018; and

BE IT RESOLVED, to amend the 2019 revenue budget A3089 (State Aid - Other) by an increase of \$1,080 and the 2019 expense budget A1410.4 (Town Clerk – General Code Updates) by an increase of \$1,080; 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, 2018; and

BE IT RESOLVED, to amend the 2019 revenue budget A2706 (Grants from Local Governments) by an increase of \$19,968 and the 2019 expense budget A8090.4 (Environmental/Conservation - Contractual) by an increase of \$19,968; 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, 2018; and

BE IT RESOLVED, to amend the 2019 revenue budget A2706 (Grants from Local Governments) by an increase of \$57,000 and the 2019 expense budget A5410.4 (Sidewalks – Contractual) by an increase of \$57,000; and

WHEREAS, on February 14, 2018, on Resolution #101, the Town Board accepted a Justice Court Assistance Program grant which is to be used for the purchase of various equipment to be used in the Chili Town Court, and all of the equipment had not been purchased as of December 31, 2018; and

BE IT RESOLVED, to amend the 2019 revenue budget A3089 (State Aid – Other) by an increase of \$2,801.90 and the 2019 expense budget A1110.2 (Justices - Equipment) by an increase of \$2,801.90; and

WHEREAS, on June 13, 2018, on Resolution #158, the Town Board accepted a Local Government Records Management Improvement Fund grant from the New York State Archives unit of the NYS Education Department which is to be used to implement a document conversion and access project, and work had not been completed as of December 31, 2018; and

BE IT RESOLVED, to amend the 2019 revenue budget A3089 (State Aid – Other) by an increase of \$30,501.25, the 2019 expense account A1460.1 (Records Management – Personnel) by an increase of \$12,626.25 and the 2019 expense budget A1460.4 (Records Management - Projects) by an increase of \$17,875.00; and

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WHEREAS, on November 14, 2018, on Resolution #254, the Town Board accepted a Community Development Block Grant from Monroe County which is to be used for the Hubbard Park Pavilion Project, and work had not been completed as of December 31, 2018; and

BE IT RESOLVED, to amend the 2019 revenue budget A2706 (Grants from Local Governments) by an increase of \$33,000 and the 2019 expense budget A7110.4 (Parks - Construction) by an increase of \$33,000.

RESOLUTION #96 RE: Authorization of Inter-Fund Loans for Community Center

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

WHEREAS, the Town of Chili is in the process of building a new community center which will involve borrowing funds from external sources in order to finance the project; and

WHEREAS, the Town wishes to minimize the interest expense associated with borrowing external funds by delaying said borrowing as long as possible and temporarily using funds the Town already possesses; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Supervisor to make Interfund loans up to a maximum amount of \$3,000,000 between the General Fund and the Community Center capital project; and

BE IT FURTHER RESOLVED, that said Interfund loans shall be paid back to the General Fund prior to the end of the year in which they were borrowed.

RESOLUTION #97 RE: University of Rochester Incentive Zoning

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

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 in accordance with the terms of the current section 115-89 Zoning Code; and

NOW, THEREFORE, BE IT RESOLVED, incentive zoning funds received in 2019 shall be deposited into the Sidewalk Reserve Fund.

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RESOLUTION #98 RE: Forest Creek Incentive Zoning

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

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 2019 shall be deposited into the Sidewalk Reserve Fund.

RESOLUTION #99 RE: Letter of Credit Release #1 for Kamco Supply Corp

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer, \$111,072.08 be released from the letter of credit #120817S with Bar Harbor Bank & Trust for Kamco Supply Corp, leaving a balance of \$31,167.12; subject to engineering fees and street light bills to the Town.

RESOLUTION #100 RE: Establish Letter of Credit for Lot R3B1 Paul Road Industrial Center

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 Lot R3B1 Paul Road Industrial Center in the amount of \$122,909.41

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.

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RESOLUTION #101 RE: SEQR - Designating the Town Board Lead Agency Status for the Demolition of Structures at 177 Archer Road

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

WHEREAS, the Town of Chili Town Board (hereinafter referred to as Town Board) has reviewed the Part 1 of the Short Environmental Assessment Form, prepared by the Town Supervisor for the above referenced project (hereinafter referred to as Action); and

WHEREAS, the Town Board determines that said Action is classified as an Unlisted action under the State Environmental Quality Review (SEQR) Regulations; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby designate itself as the lead agency for the Action.

RESOLUTION #102 RE: SEQR - Determination of Significance for the Demolition of Structures at 177 Archer Road

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

WHEREAS, the Town of Chili Town Board (hereinafter referred to as Town Board) has determined that the demolition of structures at 177 Archer Road (hereinafter referred to as Action) to be an Unlisted Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has reviewed and does hereby accept Part 2 of the Short Environmental Assessment Form, dated January 16, 2019 and prepared by the Town Supervisor.; and

WHEREAS, the Town Board has conducted an Uncoordinated Review, in accordance with the SEQRA Regulations, such that each and any other involved agency review the impacts of the proposed action independently and make its own determination of significance about the action; and

WHEREAS, the Town Board finds that the Short Environmental Assessment Form, Parts 1 and 2, provides a reasoned elaboration of the impacts likely to result from the Town Board's action to approve the proposed Action; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in the SEQR Regulations and the information contained in Parts 1 and 2 of the Short Environmental Assessment Form; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board determines the action to be an unlisted action for the purposes of SEQR and based on the information and analysis above and the supporting documentation referenced above that the proposed action WILL NOT result in any significant adverse environmental impacts and directs the Town Supervisor to sign and date Part 3 of the Short Environmental Assessment form.

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RESOLUTION #103 RE: In Memory of Randy L. Ackley

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

WHEREAS, on January 9, 2019 Randy Ackley passed away and we are deeply saddened by his loss; and

WHEREAS, Mr. Ackley was employed with the Town of Chili Department of Public Works from 4/23/1990 – 9/29/2015; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili hereby extends their deepest sympathy to the Ackley family and also sets aside this special page of their minutes from this Town Board Meeting in his honor and takes a moment of silence in Mr. Ackley's memory. The Town Clerk is hereby directed to send a copy of this resolution to the Ackley's family.

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**RESOLUTION #104 RE: Authorization to Advertise for Bids for the Foundations & Steel for new
Community Center Facility located at 3237 Chili Ave**

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 Foundations & Steel, necessary for the development of a new Community Center Facility.

RESOLUTION #105 RE: January 16, 2019 Abstract – Fiscal Year 2018 Payables

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

BE IT RESOLVED, to pay vouchers 30289, 30300-30301, 30366-30368, 30377, 30384-30389, 30391-30393, 30398, 30407-30408, 30411, 30416, 30422, 30431-30432, 30435, 30437, 30439-30442, 30445-30447, 30450-30461, 30464-30469, 30472, 30476 totaling \$97,852.41 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$	22,692.56
Highway Fund		20,125.21
Library Fund		75.20
Drainage District		54,173.44
Sidewalk Districts		786.00
Total Abstract	<u>\$</u>	<u>97,852.41</u>

RESOLUTION #106 RE: January 16, 2019 Abstract – Fiscal Year 20198 Payables

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

BE IT RESOLVED, to pay vouchers 30369-30376, 30382-30383, 30390, 30394-30397, 30400-30401, 30404-30406, 30409-30410, 30412-30415, 30417-30421, 30423-30425, 30427, 30429, 30433-30434, 30436, 30438, 30444, 30448-30449, 30473-30475, 30477 totaling \$222,531.12 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$	222,523.04
Highway Fund		8.08
Total Abstract	<u>\$</u>	<u>222,531.12</u>

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The next regular meeting of the Chili Town Board will be on Wednesday, February 13, 2019 at 7:00 p.m. in the Chili Town Hall Main Meeting Room.