

Chili Town Board Regular Meeting
August 14, 2019
APPROVED

A regular meeting of the Chili Town Board held on August 14, 2019 at the Chili Town Hall, 3333 Chili Ave., Rochester, New York 14624 at 7:00 PM. Supervisor David Dunning called the meeting to order.

PRESENT: Councilman DeCory, Councilman Slattery, Councilman Brown, Councilwoman Sperr and Supervisor Dunning.

ALSO PRESENT: Dawn Forte, Supervisor's Secretary; Virginia Ignatowski, Town Clerk; Councilman Slattery, Deputy Town Supervisor; Daniel Knapp, Director of Finance.

These are not verbatim minutes; they are a summary of the meeting.

The invocation was given by Virginia Ignatowski.

Supervisor Dunning announced that the stenographer for the evening is Rhoda Collins as Sandy Hewlett had a little accident and is unable to use one of her arms. She broke it while on vacation. Hopefully she will be back for the next meeting and he wished her well.

The Pledge of Allegiance was cited. The fire safety exits were identified for those present.

PRESENTATIONS/ANNOUNCEMENTS

1. Presentation to Marty Mass.

SUPERVISOR DUNNING: I would like to ask the Town Board if you would join me to the side here please. Marty Mass has worked for the Town of Chili for 23 years and has recently retired. We would like to thank you for the many years of service. I know I've seen you out on the side of the road cutting down all of those nice tall weeds on the side of the road, keeping the sides of the road clean. And it brightened up the Town of Chili over the past 23 years. So on behalf of the Town of Chili I would like to present a small token of our appreciation and I will read this if you don't mind. This is presented by the Chili Town Board to Marty Mass in appreciation for the 23 years of dedicated service for the Town of Chili. So Marty, with that I would like to say thank you so much for your service. Do whatever you can do for the rest of this time and enjoy it. Mr. Lindsay, would you like to say something?

MR. LINDSAY: I just want to say congratulations to you, thank you for your service. You've always placed the interest of the town at the top of your list and you came in many of those winter evenings and unfortunately I won't be calling you next winter. Congratulations.

SUPERVISOR DUNNING: Marty, would you like to say anything?

MARTY MASS: Nope. Thank you.

2. Robert Levine.

SUPERVISOR DUNNING: Rob Levine went before our Conservation Board and did a presentation and the Conservation Board had recommended that Rob get an opportunity to come before the Town Board and also present this to us. So we have been trying to put this together for several months now, so here he is. With that, Rob, I will it turn over to you and --

CAROLYN DEHORITY: I'm actually going to introduce him.

SUPERVISOR DUNNING: Oh, Carolyn DeHority from the Conservation Board.

CAROLYN DEHORITY: Thank you. So I am Carolyn DeHority, I have been on the Conservation Board for the Town of Chili for 25 years. I've worked at RIT for many years and about 11 years ago all freshmen at RIT were asked to read a book by a guy named Bill McKibben. And Bill came to campus and did a presentation that I came to and he started an organization call 350.org. And I don't know if any of you have heard of this, but the idea was if the amount of carbon dioxide in our environment got above 350 parts per million things would start changing in our environment. And so over those 11 years I've been on his Facebook Page, 350.org, and I have seen the parts per million rise from 350 to 400 and now it's at 411. And so the idea was things are going to start changing at 350, if we get to 450 things are not going to be very reversible. We all know that many things have been changing in our environment and

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our weather and our temperatures. This past July was the hottest July in recorded history. So things need to change. Rob Levine who is here works with a group called Citizen Climate Lobby. And this group has an idea, a plan that I think has a lot of credibility and he came and presented it to our Conservation Board and we wanted you all to hear it. There's some legislation he's going to explain that they're trying to get people involved in at the local level and many towns here have gotten involved. We want Chili to get involved. And so I am so glad that he's here and is going to be saying more to you about this. He talked about it to us way back in February. This is the first time we could get all of our schedules together for him to talk to you, but I'm so glad he is here now.

ROBERT LEVINE: Thank you, Carolyn, and thank you, Dave, for getting me time here in front of everybody. Board, thank you for your time. So, yeah, as Carolyn explained, I'm a volunteer with Citizens Climate Lobby and I have been with them three and a half years. I got involved because I knew that one day soon I'd be a grandfather, thinking about my grandchildren was important. Well, I'm going to be a grandfather in October so it's become much more real to me than before. So what we do at Citizens Climate Lobby is we meet with education leaders, faith leaders, business leaders, government leaders, we're trying to build political will for our climate in which up until this year was just our climate solution. Now it's legislation on the House floor which is really exciting. So what we do is seek endorsements for what is now H.R.763, the Energy Innovation Carbon Dividend Act. And we're here basically to ask the Board to issue a proclamation or a resolution if the Board is able to do that, that says basically climate change is a problem and the Federal government needs to take action and the Energy Innovation Carbon Dividend Act should be considered part of that legislation. It's that transformative. Secondly, we would like to have you help encourage our New York Senators to co-sponsor a companion bill in the Senate. There was one last year when it was introduced but Jeff Flake was one of the co-sponsors. He did not run for office, so it has to be a bipartisan solution, which I will talk about. And so without a Republican co-sponsor there's nothing in the Senate. So thank you again to Carolyn for helping get to the Conservation Board and for the work they do around town maintaining some of the trails and supporting the work the Board does in terms of the environmental impacts of town planning which is a big thing. So we appreciate that very much. So Citizens Climate Lobby, we're a non-profit, we are a nonpartisan organization, we have over 150,000 volunteers mostly in the US and Canada. In the United States there are organized around 485 local chapters which correspond congressional districts. Basically we're trying to lobby congress. So we weren't locally, but really for a national solution in climate change which should be a global solution because it affects everybody. So what do we know? We know that scientists agree that there's a problem that the planet is warming and as Carolyn mentioned humans have never lived in an environment where carbon dioxide was over 400 parts per million. So we don't know how that really is going to affect humans because we developed thousands of years ago and it's been over a few million years before we had a problem. But scientists agree, we know it's real, we know it's bad. We see the lake flooding again this spring and early summer. We see storms and rain amounts and I don't think have to go through that really. And we know that it's us, that that increased level of carbon dioxide is clearly due to human activity. But the good thing is there's hope, there's still some time left. The IPCC report which came out last November and the Fourth National Climate Assessment from the US Government indicated that things are pretty dire and that we have about 12 years to reduce our global emissions by half in order to stop the worst effects. Some of these effects as Carolyn mentioned, what happens in 2030 is already set in stone by the amount of carbon pollution that's in the air now. And so every day that we increase that we extend the difficulty of the problem we hand off to future generations which really bothers me on a moral level. So we have to cut our emissions in half and we have to do it soon. So how do we do that, right? Introduced in January was our solution, the Energy Innovation and Carbon Dividend Act. Here's how it works. A fee is placed on coal, oil, natural gas where it enters the economy, so at the mine, at the well or at the port of entry. There's less than 200 companies in the United States that are involved in that process. The fee will be assessed on those companies alone, very measurable because they measure it now and so it's very easy to get that fee. The important thing about the fee is that when it starts low, \$15 per ton of CO2 emitted, which relates to about .13 cents, .14 cents a gallon gas, just so you get something in your mind. And it starts at \$15 and it grows \$10 every year. It needs to be a predictable market signal in order to activate a change and a transition to renewable energy. Rather than having government step in and tell us what to do, we raise the price of

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carbon on a regular basis. American innovation will -- an entrepreneurial spirit, will find the cheapest source of energy which we know is going to be wind and thermal and solar and all of that stuff. So the predictable market signal is the real important thing because currently it's a market failure in terms of the price of carbon. So that's really important. Then what happens is the fee is collected, right? It's a lot of money. What's important about the carbon dividend portion of the act is that fee is collected and then immediately sent out to every American with a Social Security number on an equal basis, month by month. So it's a dividend. This puts money in people's pockets, it's expected to protect about 60 to 70 percent of the lowest income earners in the United States and give them an amount that is equal to or greater than the expected rise in the cost of living. So what that does is it gives them disposable income and what that does is another catalyst for growth, and that's an important thing. So the other thing that's important is a border adjustment so there's no advantage for companies to move overseas. Imported goods will pay an adjustment and goods exported from the US will receive a refund if that country has a carbon tax as well. So what that does is again, evens the playing field, and it's going to encourage all other nations to do the same thing and that's what economists and climatologists really say, it's got to be a global solution. We are hoping the US will take leadership again some day soon in that particular area because it's so important. And so again, what's important is this regulation reduces US emissions, we'll tell you how those are very well, and it does place some rules on restricting other regulations. We are not focused on what are quality rules, or other pollution, or auto mileage, this is a focus on one thing and that's just the price of carbon and how that will affect the economy worldwide. So how does it work and what does it do? First of all, it's very effective. In the first 12 years emissions are expected to be reduced by at least 40 percent and what's really cool is that within 20 years it's expected to be almost 90 percent of 1990 levels, so that you have something to compare it to. And that's way beyond what the Paris reports are requesting from people, so this is really a more comprehensive way to reduce emissions. It is supported by economists and scientists. It's simple, it's comprehensive, it's effective, and it's transparent, which I think is what appeals to a lot of people on both sides of the aisle. It's good for people because if we reduce pollution that helps with health, right? Talking about infectious disease spread, we're talking about pollution and lung disease, we're talking about the effect of climate disasters and all of those things. So it will help in reducing healthcare costs a great deal which is very important to our economy. And the dividend puts money into people's pockets and they can spend it however they want. If you have a high carbon footprint, get a more efficient refrigerator, which is one of the worst things, which probably Doug will tell you. Or if you have a low carbon footprint then you can go buy shoes, you can go out to dinner, you can support the local economy. And that's why it's really a catalyst and my economists really appreciate this. The policy will be expected to create over two million jobs in the first ten years, because again, families have money to help stimulate the economy. A lot of the jobs are in renewable energy, but a lot of the jobs are in restaurants and heating/ventilation and air conditioning companies that have to put in more efficient stuff, so it's an economy-wide stimulus. It's not just jobs in the renewable energy. But I think we all know if the US were to lead on renewable energy, that's thousands and thousands and thousands of jobs. It's already more people working in the renewable energy field than oil, coal, natural gas combined today, so it's growing much faster anyway. It is a bi-partisan bill, which is huge. Legislation has to last for generations for this to work. So if this is not a bipartisan bill it won't last. So it's really important in the House there are Republicans that are co-sponsoring it. And we've talked to so many members of Congress on the Republican side who are really just afraid to say publically at this time what they truly believe is happening. They want to get reelected so they're sort of toying the line, but we know there's more support in Congress if some people would get the courage to say so. Which is why we've come to local governments and I'll talk about that in a minute. The majority of Americans, over 70 percent of Americans want Congress to take action on climate change. That's 65 percent of Republicans say the same thing, and that the actions should include carbon price is pretty well thought of by most people but I'm not sure they understand it. The important thing to know is that this is way too important to get caught up in partisan politics. This is an issue that should bring us all together to solve a problem that affects everyone and every living thing, which when you think about that it's kind of crazy. So the other thing that's important is it's revenue neutral. The fees collected on the carbon emissions go out to families and therefore none of the money goes to the government. Nobody wants the government to grow, so again it's acceptable to both sides of the aisle. It's not a tax it's a fee because no money goes to government and that's the important thing.

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So that's how the thing works. Have we made progress? Well, because we have a bill that shows it made progress, but locally we have the City of Rochester and eight other surrounding towns who have supported and endorsed either carbon fee and dividend because we met them two years ago before the bill was introduced. Or we have gone back to and have said they endorse the bill which is, you know, putting the rubber to the road. And we would like to expand that so that it includes every town in New York 25, pretty simple. I was at the news conference today where Joe Morelle announced that he is a co-sponsor of the bill and so he would work to bring new co-sponsors and we asked him specifically to try to find Republicans to join the fight. That brings us to 16 members of Congress, that's as of today not July 27th, who are co-sponsoring the bill. That's a pretty significant number of people in Congress. So it's growing in support and it needs to happen soon. So how does it move forward in Congress? It's been introduced, we need to find a companion bill in the Senate, which is where you can help things go quickly. We want it to move through those committees in the floor vote and then finally it gets to the President to be signed into law. The longer it takes for that happen, the more disruptive any solution is going to be because we are running out of time. So we can do \$15 per ton now and \$10 in the next nine years, and make that work, but if it's five years from now that carbon fee of the first year is going to be something like \$45 or \$50. That's going to really affect people, and it's going to go up from there, which is a steeper curve. So the sooner we get this the more palatable 25 it will be. I think we all have to understand that we're all going to have to sacrifice something in order to solve this problem. So I'm in for sacrificing the least, which means we've got to start as soon as possible. There's a very strong conservative case for this, I'm going to kind of blow through it a little bit. There's strong student support, there's the Students for Carbon Dividends, which is a national organization of both Republican and Democratic student groups that are fighting for a carbon price. Locally we have been working with some of the schools and in May, Gerard Rooney the President of St. John Fisher was the first local president to sign a national letter endorsing the bill and I think it's 56 other college presidents around the country. And again, we're working to get that list to grow. There's the conservative case for carbon dividends that James Baker, Henry Palson, George Schultz who are all cabinet secretaries under Republican presidents and a bunch of notable Republicans came up with a plan very similar to ours. And it's really between their plan and our plan that the legislation kind of has born out of. What it will look like in the end, I can't guarantee. I'm sure there's going to be more horse trading, but it needs to move through quickly. What's really, I think, most important is in January, four chairs of the Federal Reserve, that's all of them besides the one who's there now, 27 Nobel laureate economists, 15 former chairs of the Council of Economic Advisors, two former secretaries of the Department of Treasury, and over 3,000 economists in the United States issued a statement on carbon dividends. If you read the statement that's basically the bill we are talking about. This letter came out before the bill was introduced, this came out in January of 2017, right after the election. So these conservative folks knew they needed to get something going to try to preserve Paris, that was I think the point. So we're here today because we want you to help support this. It begins at the grassroots level, members of Congress, Joe Morelle, Chuck Schumer, Kirsten Gillibrand, their staff tells us that it's very important to 18 hear from local politicians and Town Boards because you represent thousands of people. And if I endorse this bill to them I'm a grassroots constituent, but the eight or nine towns that have endorsed the bill represent over 410,000 residents of New York District 25. So that has meaning to Joe Morelle, and other members of Congress. So a municipal resolution is like an endorsement on steroids, and that's what we're looking for. The more Congress hears from local officials, the more they'll pay attention and it helps shift people who are undecided and motivate the favorable. There's some examples locally we know now that the lilacs bloom much earlier than they did in the past, 12 days earlier than 1905 which kind of corresponds to what the IPCC report leans to. The mean average of spring temperatures here in Rochester have risen in the last, I don't know how many years that is, 140 years. And this is really important to a lot of people, the number of days where an inch or more of snow on the ground in Rochester has decreased. So I know I snowshoed once this year, no times last year. The skiers, they're gone. So it's happening and I think we all see it, and perhaps felt locally. So changing US weather leads to, I'm not going to go through that like I do at some presentations. It leads to a lot of problems that I think most of us are aware of. And all of those strain your local budget, again, that's why it's important to you. Town credit ratings are affected by climate preparedness. In fact, Moody's who issue bonds at the municipal level, a year and a half ago -- actually 2017, announced that they were warning cities to address climate change or in effect downgrade. So if you're not preparing for this, it will be much harder for you to borrow money than towns that are preparing for this. I think that's important. Another important thing is, I'm in

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the investment business and the S&P 500 and Dow Jones came out with a series of indexes now that rate companies on risks that are associated by the expected price of carbon in 2030. So they're looking at how companies are going to perform because we know how economically powerful the effects of climate change are going to be, that's why it's important. So climate change is a national, international issue for sure, but local resolutions for action on climate change are important. H.R.763 is effective at reducing emissions which is the most important thing, it's good for people, good for the economy, it's revenue neutral and it's bipartisan. And so it has a chance not only of passing but of lasting. And that's the really important thing. So the more local municipalities that pass the resolution means there's more pressure for Congress to act. So my ask of you as a Board, would you be willing to issue a proclamation? I don't know if you do letters of endorsement or how it works. Each town seems to be different, but to publicly support Federal action on climate change that would include this bill. And so this stuff I think we'll skip over because I don't want to go too far past the 15-minute mark. You can see there's growing support, both Republican towns and Democratic towns and towns that are split between Republicans and Democrats. Across the board there's only one town that we've met with so far that has not passed legislation and my polite persistence is going to win out at some point, I am confident. So that's some examples. Again, we would like to partner with you to help you formulate and create a proclamation or a letter of endorsement that fits your needs. And with that I say thank you again, Dave, for finding time for me to fit in the schedule and I will ask if there are any questions.

COUNCILMAN DECORY: I have a question. Who will administer the collection of the carbon fees and distribution of it?

ROBERT LEVINE: Good question. The Department of Treasury is already set up to do that. This is why it doesn't grow government. They issue checks all of the time and this would be similar to what the State of Alaska does, they have a dividend from the oil companies they have been loving for, I'm going to say, decades. It's really the same process. So the Department of Treasury will handle this and in the legislation there's a cap on the administrative cost at two percent. So if it were to go near two percent, they will have to look for solutions to keep it that. That way 98 percent of the money collected is returned to citizens. And it's every month, then there's nothing left over for government to borrow. I know people have complained about Social Security. The way that law is set up is there's a surplus every month, and the law says they have to buy government bond and that's where the government starts to use the money for other purposes, this bill eliminates that problem. Anything else?

COUNCILWOMAN SPERR: What was the community that didn't say yes?

ROBERT LEVINE: Webster.

COUNCILWOMAN SPERR: Their slogan is life is worth living.

ROBERT LEVINE: It is. Because of that the grassroots support in Webster that started to grow, really for me it's really exciting to watch. Individuals are like, why did you say no? Really, we're asking you to sign a piece of paper that says this is important. And just that alone really has an effect on members of Congress. The more we do the better. Their problem is really a lot about not trusting the government. And I think, well, you guys are government do you trust yourselves to handle money properly? We have to trust the government to do something right.

SUPERVISOR DUNNING: I would say before this Board does anything at all, this is one of those type of actions that I believe needs input from the community. For us to take some stance, how does the rest of our community feel about something like this? One of the difficulties we've had in the past is gauging or getting that input back from the community as a whole and not just maybe 120 people. We have over 29,000 people in the Town of Chili. And generally how does that collectively how does the town feel? Me personally, I don't know that. I'm going to go out a little bit on a limb here and say, I would be a little hesitant to pass the resolution without knowing how our community feels or offer a resolution about --

ROBERT LEVINE: You're elected to represent those citizens.

SUPERVISOR DUNNING: We are to represent, but we are not to make decisions for them. So I think it would be appropriate at some point we have some discussion as far as what we want to do or how we will handle outreach to the community. Talk to maybe looking at the Conservation Board to be taking some kind of a lead role in something like that too, so we will discuss it.

ROBERT LEVINE: So there's room here.

SUPERVISOR DUNNING: I think we certainly need to have a discussion.

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COUNCILMAN SLATTERY: And just to follow up with that, have you made a presentation to the Conservation Board?

ROBERT LEVINE: To your Conservation Board, yes. We met in February, we want -- our process --

COUNCILMAN SLATTERY: I asked a question and the answer now it's a follow up, so just go with me here.

ROBERT LEVINE: Yes, we met with the Conservation Board and they recommended we come here.

COUNCILMAN SLATTERY: And this is also for the audience that's listening as well. So now the Conservation Board, and their feelings in regards to that?

ROBERT LEVINE: Carolyn can speak to it.

COUNCILMAN SLATTERY: Did you do the presentation?

ROBERT LEVINE: Yes.

COUNCILMAN SLATTERY: So your feeling, your take back from the Conservation Board.

ROBERT LEVINE: It was very positive. It was a unanimous, yes we would support that legislation. Which is why --

COUNCILMAN SLATTERY: You keep saying that's what they said, we would?

ROBERT LEVINE: No, they said they would.

COUNCILMAN SLATTERY: Because you just said we.

ROBERT LEVINE: As the Conservation Board. And that's why Larry agreed to send a note to Dave saying that, you know, as a Conservation Board we support this legislation. We've done this in so many towns we try to find which committees are important to work with because if they recommend it versus me, I don't live in your town, you don't have to give me the time of day, which is why I really appreciate that.

COUNCILMAN SLATTERY: Right.

ROBERT LEVINE: But that's why we try very hard to work with the local communities. So we'd be happy to -- we would want to be involved in how you put this out to the community because you're the first town to want to do that and I think that's a great idea, how we could do that. And we could use that in other towns in the future, that would great.

COUNCILMAN SLATTERY: If I can, if Carolyn could just follow up in regards to what conversations happened with the committee members. You can use the mic for the recording.

CAROLYN DEHORITY: So Rob came in February, and I will have to say we haven't talked about the issue as a Board since then, but when he came in February, we said, you know, this seems to make sense. It seems like this is gathering information from both sides of the aisle. It seems like it's taking individuals into consideration in terms of giving money back to maybe some of the people who need it most. And so it seems like legislation that we would like to see be supported and proceed. We need to be doing something. I don't know that this is the absolute best thing to do, but it's a great idea that has a lot of support behind it. We need to be doing something. So I would say why not support something that has quite a bit momentum and has a great grassroots organization and is doing something.

COUNCILMAN SLATTERY: Okay. Then to follow up to what David said, Conservation Committee take an action assisting with this. Do you feel they would partake in that? I know you don't want to speak for them but just that, you know, you said got a sense of feeling from the members.

CAROLYN DEHORITY: Our Conservation Board typically hasn't been an advocacy board in terms of legislation sorts of things.

SUPERVISOR DUNNING: That could change.

CAROLYN DEHORITY: That could change.

COUNCILMAN SLATTERY: That's why I want to know what their feelings were. And since the meeting you said you guys really haven't talked more about it, but something to bring back to them. You heard what happened here tonight, so something to talk to the members about.

CAROLYN DEHORITY: The next step was for Rob to come to you and it just took a long time to get to that step.

COUNCILMAN SLATTERY: Yes. I just wanted to get the feelings out. You guy were there, you probably talk to each other.

ROBERT LEVINE: It was very positive which is why --

COUNCILMAN BROWN: You said the Town of Webster didn't support this? Did they vote it down or they didn't bring it to a vote?

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ROBERT LEVINE: They haven't brought it to a vote yet. So we've had two presentations to them, one that CCL delivered and one that a resident wanted to deliver because she was disappointed they didn't support the legislation. And at that particular meeting, there were a bunch of other people that did not know each other who were here for that purpose. They formed a committee, and so they are going to try to build more grassroots support to encourage the Board to sign a proclamation or a resolution supporting the legislation. So Irondequoit took well over a year to get them to do it.

COUNCILMAN BROWN: So we have time.

ROBERT LEVINE: Well, we do and we don't, right? We want you to support the bill when you're comfortable doing it, you know. And we are willing to work with you, whatever it takes. Again, I lose sleep every night about this issue. I have some image of something where it's just like it's my fault. I have a tremendous amount of guilt that I didn't get involved in this type of stuff in 1970 on the first Earth Day, I was there. You guys were mostly there, right? We had to do a project in school on conservation and stuff. Mine was the Great Barrier Reef, I'll never forget it. And now here we are 40-some odd years later and the Great Barrier Reef is in trouble just like they said. So we're running out of time.

COUNCILMAN BROWN: I appreciate your presentation because this is the most I've understood the term carbon tax. I've never really understood it that well.

ROBERT LEVINE: Good. Since this bill came out, there are four new carbon pricing bills on the floor. Some of them the money is to go to some for infrastructure work, some to people. It gets really complicated and that's we think this is the easiest, simplest, most transparent. Because when money goes to government you really don't know what it's going to be used for. So any other questions? Great. So we are at the point where the Conservation Board has to decide sort of whether they want to help or --

SUPERVISOR DUNNING: No. We will decide for them. This Town Board will discuss our next steps. And, yeah, we will be the ones who make the decision for the Conservation Board.

ROBERT LEVINE: Okay. Thank you again, really appreciate it.

Affidavit of Publication

STATE OF NEW YORK }
COUNTY OF ONTARIO } SS

Kay Bullock, being duly sworn, says:

That she is Principal Clerk of the The Post - zone 1, a weekly newspaper of general circulation, printed and published in Canandaigua, Ontario County, New York; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

August 01, 2019

That said newspaper was regularly issued and circulated on those dates.

SIGNED:

Kay Bullock

Subscribed to and sworn to me this 1st day of August 2019.

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
TO ESTABLISH A SIX MONTH MORATORIUM
ON GROUND MOUNTED SOLAR EQUIPMENT
APPROVALS IN THE TOWN OF CHILI

PLEASE TAKE NOTICE, that a Local Law has been introduced to the Town Board of the Town of Chili, New York, on the 17th day of July, 2019, designated Local Law Introductory No. _____, 2019 to establish a six-month moratorium on ground mounted solar equipment approvals in the Town of Chili.

PLEASE TAKE FURTHER NOTICE that a Public Hearing upon said Local Law No. _____, 2019 has been scheduled for the 14th day of August 2019, at 7:00 P.M., to be held by the Chili Town Board at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624. An opportunity to be heard in regard thereto will then and there be given. Written comments may also be directed to the Chili Town Clerk, Town Hall, 3333 Chili Avenue, Rochester, New York 14624, on or before 4:30 P.M. on the 14th day of August, 2019. If special accommodations are required for the meeting, please notify the Chili Town Clerk by August 9, 2019.

Virginia L. Ignatowski, Town Clerk

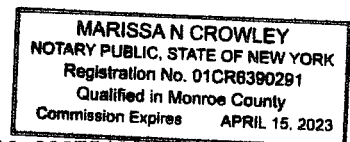
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Marianna N. Crowley

, Notary Public

Ontario County, New York

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TOWN CLERK
TOWN OF CHILI *LE*
3333 CHILI AVENUE
ROCHESTER, NY 14624

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PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on August 14, 2019 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York, 14624 at 7:36 p.m. to discuss a Local Law of 2019 for a Six Month Moratorium on Ground Mounted Solar Equipment Approvals.

Attendance as previously noted in the 8/14/19 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None

The Public Hearing was closed at 7:37 p.m.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. One speaker addressed the board to encourage them to not support the request of the presenter. The Public Forum concluded at 7:40 p.m.

MATTERS OF THE SUPERVISOR:

New Matters:

1. Letter from Justin Clayton to Troops.

SUPERVISOR DUNNING: I had a visit a few weeks ago from a gentleman by the name of Ed Buckovich and he brought to me -- some of you have seen this because I posted this on social media five minutes after he left my office -- a very nice story that he shared with me with some pictures. And I would like to ask Ed if he would please step up and you could read the letter. I know it's hard to read on the screen, so if you could kind of share with them what you shared with me, because it's a very touching story

ED BUCKOVICH: Sure. The gentleman on the left is my grandson, Justin Clayton, and he is a Marine. And the picture was taken on July 25th, just about three weeks ago, on his Graduation from Fort Sill, Oklahoma in the artillery division. And he graduated number one in his class, a 98.7 GPA, and on July 26th, he was already on a plane to Camp Pendleton in California where he is stationed now for the remainder of his tour. And the letter that is next to him there was a letter that my daughter found in his school memorabilia. And it's hard to read there, but I have a copy here. It's sensitive to the point where it really hits you right here. I just want to read it to you because it really said something to me.

And it says: Dear Troops, I want to thank you for all that you do, that you are doing. You are risking your lives every day and night. It has to be hard to be away from your families. I'm sure they miss you and love you very much. When I am older I want to be a United States Marine. But I am in the fourth grade right now. I am writing this letter just to let you know people are happy that you do this for us. I hope you all come back safe. Justin Clayton, the soon-to-be United States Marine.

A boy nine years old has his dream of what he wants to do, he's 21 years old now and he fulfilled that dream.

COUNCILMAN SLATTERY: God bless him, thank you.

SUPERVISOR DUNNING: Thank you so much for sharing that again with us. It was really -- I don't think I could hear that story often enough and I see by the look of the Board here we're all still most of us have a little tear in our eye listening to this.

ED BUCKOVICH: It is heartfelt. Mr. Dunning says that if I had been here a week earlier he could have put it in the newsletter, but he said he will put it in the following month.

SUPERVISOR DUNNING: It will be in the next newsletter, because the rest of the people need to see this great letter. It's a great letter, it's a great service for our country. Please, thank your son for us for his service to our country.

ED BUCKOVICH: They are leaving Friday for Camp Pendleton.

SUPERVISOR DUNNING: God bless you.

COUNCILMAN SLATTERY: Keep more of those stories coming. Please let us know his status.

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SUPERVISOR DUNNING: The other thing I just thought was earlier this week --

COUNCILMAN SLATTERY: Hey David, thank you.

SUPERVISOR DUNNING: You're welcome. This had to be shared. It was an amazing story, I put it on Facebook five minutes after he left my office. I had to scan it and put it out there so people could see it. It really is a great story. How many of us knew what we were going to do at 4th grade? But I will leave it at that.

2. Culvert Replacement Along Route 33.

SUPERVISOR DUNNING: Late last week I noticed there were sign enclosures on Chili Avenue out in front of Chestnut Ridge school. I came in Monday morning and asked Mr. Lindsay what was going on and Mr. Lindsay said, I don't know. It's a State Route, we don't know what's going on. I made some calls and found out what's going on, but interestingly enough at what, about 2:30 this afternoon the State of New York decided to send a letter, oh by the way we're closing Chili Avenue in front of Chestnut Ridge school starting tomorrow morning. We will hopefully reopen to at least one-way traffic on Monday morning, or the 19th. So that's the plan to replace the culvert in there, but I want to thank the State of New York for giving us a very expedient report on when they were going to do work on some of the roads here that affect the Town of Chili, especially a minor road like Chili Avenue. So thank you to the State.

COUNCILWOMAN SPERR: Before you move off that topic there is some discussion on social media about the detours they have set up for it. I would like to comment that, as a liaison of traffic and safety I've kind of learned a few things by sitting at these meetings, and that the State has a detour, they're going to use the State roads as much as possible, than the local ones. So we all know the roads around here, we're not going to take the same detour that they will post. There was quite a bit of conversation on where they are going. They send them all the way over to Morgan Road.

COUNCILMAN SLATTERY: County road.

COUNCILWOMAN SPERR: Yes. It's a County road, but yes.

MATTERS OF THE TOWN COUNCIL: Nothing to report.

The 7/17/2019 Town Board meeting minutes were approved.

REPORTS SUBMITTED:

Advanced Payment of Claims – July 201
Building Department Report – July 2019
Conservation Board Minutes – 6/3/2019, (No July Mtg)
Dog Control Report – July 2019
Historic Preservation Board Minutes – 6/10/2019, (No Quorum for July)
Library Board Minutes – 6/25/2019
Monthly Financial Report – June 2019, July 2019
Recreation Center Report – July 2019
Senior Center Report – July 2019
Town Clerk Report – July 2019
Traffic & Safety Minutes – 6/6/2019
Zoning Board Minutes – 6/18/2019

CORRESPONDENCE:

1. The Town of Chili has received notification that Jeff Vieira, Parks Department is resigning effective August 20, 2019.
2. The Town of Chili has received notification that Alexandra Stanton, Building Department is resigning effective August 23, 2019.

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SUPERVISOR DUNNING: I would like to thank both of them for their work here in the town. Jeff did a great job over at the Parks Department and he's moving onto greener pastures, and same with Alexandra she did a good job over at the Building Department and we appreciate what she's done for us. She's actually going to Vegas.

RESOLUTION #212 RE: Planning Board

OFFERED BY: Councilman DeCory SECONDED BY: Councilwoman Sperr

BE IT RESOLVED, that Joe Defendis be appointed to the Planning Board to complete the term of Ron Richmond; term to expire December 31, 2022 and be paid the sum of \$90.00 per meeting attended for the calendar year 2019.

Councilman DeCory – aye
Councilwoman Sperr – aye
Councilman Brown - aye
Councilman Slattery - aye
Supervisor Dunning - aye

RESOLUTION #213 RE: Chili Fire Department Active List

OFFERED BY: Councilman Brown SECONDED BY: Councilman Slattery

BE IT RESOLVED, that the following individual(s) be added to the Chili Fire Department active list effective August 12, 2019:

Donald Bracci, Thomas Gamble, Jacob Morales

Councilman DeCory – aye
Councilwoman Sperr – aye
Councilman Brown - aye
Councilman Slattery - aye
Supervisor Dunning - aye

RESOLUTION #214 RE: Chili Fire Department Exempt List

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Brown

BE IT RESOLVED, that the following individual(s) be removed from the Chili Fire Department active list to the exempt list effective August 12, 2019:

Mike DaVia & Curtis Hess

Councilman DeCory – aye
Councilwoman Sperr – aye
Councilman Brown - aye
Councilman Slattery - aye
Supervisor Dunning - aye

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RESOLUTION #215 RE: Purchase of Leaf Machine

OFFERED BY: Councilman DeCory SECONDED BY: Councilman Slattery

WHEREAS, included in the approved 2019 budget is the purchase of one (1) new leaf machine replacement; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase of an ODB XtremeVac Model LCT650 from Cyncon Equipment off Sourcewell (NJPA) Contract #041217-ODB at a cost not to exceed \$39,000.00 to be paid from A8160.2000.0026 (Refuse/Garbage – Equipment General Fleet Reserve).

Councilman DeCory – aye
Councilwoman Sperr – aye
Councilman Brown - aye
Councilman Slattery - aye
Supervisor Dunning - aye

RESOLUTION 216 # RE: Amend Resolution #278 from the December 13, 2017 Town Board Meeting - Establish Letter of Credit for 420 Ballantyne Road

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Slattery

WHEREAS, a Letter of Credit in the amount of \$161,652.96 was approved for 420 Ballantyne Road; and

WHEREAS, subsequent design modifications resulted in an increase in the required Letter of Credit Amount; and

NOW, THEREFORE, 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 420 Ballantyne Road in a revised amount of \$189,198.90.

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.

Councilman DeCory – aye
Councilwoman Sperr – aye
Councilman Brown - aye
Councilman Slattery - aye
Supervisor Dunning - aye

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RESOLUTION #217 RE: Letter of Credit Release for Kamco Supply Corp – Final

OFFERED BY: Councilman DeCory SECONDED BY: Councilwoman Sperr

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer, \$31,167.12 be released from the letter of credit #120817S with Bar Harbor Bank & Trust for Kamco Supply Corp, leaving a balance of \$0.00; subject to engineering fees and street light bills to the Town.

Councilman DeCory – aye
Councilwoman Sperr – aye
Councilman Brown - aye
Councilman Slattery - aye
Supervisor Dunning - aye

RESOLUTION #218 RE: Letter of Credit Release #8 for Carriage House, Section 3

OFFERED BY: Councilman Brown SECONDED BY: Councilman Slattery

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$67,634.00 be released from the letter of credit #520005347 with Bank of Castile for Carriage House, Section 3, leaving a balance of \$39,512.20; subject to engineering fees and street light bills to the Town.

Councilman DeCory – abstain
Councilwoman Sperr – aye
Councilman Brown - aye
Councilman Slattery - aye
Supervisor Dunning - aye

RESOLUTION #219 RE: Building Department

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman DeCory

BE IT RESOLVED, that Kandi VanDuzer shall be appointed Secretary to Planning and Zoning Board and shall be paid an annual salary of \$36,916.00 (PG 27) effective August 19, 2019, expenses to be paid by voucher as incurred, pending background check.

Councilman DeCory – aye
Councilwoman Sperr – aye
Councilman Brown - aye
Councilman Slattery - aye
Supervisor Dunning - aye

SUPERVISOR DUNNING: I would like to introduce you all to Kandi VanDuzer. Kandi, welcome aboard.

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RESOLUTION #220 RE: Building Department

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

BE IT RESOLVED, that Gerald Alaimo, Jr. shall be appointed provisionally as Assistant Building Inspector and shall be paid an annual salary of \$39,737.00 (PG 28) effective August 26, 2019, expenses to be paid by voucher as incurred, pending background check.

Councilman DeCory – aye
Councilwoman Sperr – aye
Councilman Brown – aye
Councilman Slattery – aye
Supervisor Dunning – aye

SUPERVISOR DUNNING: I would like you all to recognize Gerry Alaimo. Gerry, welcome aboard.

RESOLUTION #221 RE: 2019 Budget Amendments

OFFERED BY: Councilman DeCory SECONDED BY: Councilman Slattery

WHEREAS, the 2019 Budget included revenue from the Friends of the Library in an amount of \$6,000.00; and

WHEREAS, the Friends of the Library voted to and gave \$10,050.00 to the Library; and

NOW, THEREFORE, BE IT RESOLVED, to amend the 2019 revenue budget L2705 (Gifts & Donations – Friends of the Library) by an increase of \$4,050.00; and amend the 2019 expense budget L7410.4 (Library – Other Operation & Maintenance - Juvenile) by an increase of \$4,050.00.

Councilman DeCory – aye
Councilwoman Sperr – aye
Councilman Brown – aye
Councilman Slattery – aye
Supervisor Dunning – aye

RESOLUTION #222 RE: August 7, 2019 Abstract

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Brown

WHEREAS, January 2, 2019 Resolution #1 authorized vouchers to be paid August 7, 2019, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 32122, 32127-32128, 32130, 32135-32139, 32141, 32143-32147, 32156, 32159-32160, 32163-32167, 32169-32171, 32174-32176, 32178-32179, 32183, 32188-32189, 32192-32237, 32239-32273 totaling \$346,920.35 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 the above listed vouchers were paid from the following funds:

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| | | |
|---------------------------|----|-------------------|
| General Fund | \$ | 85,154.55 |
| Highway Fund | | 177,464.12 |
| Library Fund | | 1,622.01 |
| H60 Community Center | | 67,161.90 |
| Drainage District | | 2,762.50 |
| Street Lighting Districts | | 12,755.27 |
| Total Abstract | \$ | <u>346,920.35</u> |

Councilman DeCory - aye
Councilwoman Sperr - aye
Councilman Brown - aye
Councilman Slattery - aye
Supervisor Dunning - aye

SUPERVISOR DUNNING: We do have budget workshops coming up later this month, the 28th and 29th. Those will be in this room starting at 5:00 p.m. and go until we are done.

The next regular meeting of the Chili Town Board will be on Wednesday September 18, 2019 at 7:00 p.m. in the Chili Town Hall main meeting room.

The meeting adjourned at 7:51 P.M.

