

Chili Town Board Meeting
September 18, 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.**

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.

Draft

9/12/2019

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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 Town Board Minutes – 8/14/2019

Reports Submitted –

- Advanced Payment of Claims – August 2019
- Building Department Report – August 2019
- Dog Control Report – August 2019
- Drainage Committee Minutes – 5/7/2019
- Library Board Minutes – 7/23/2019
- Parks & Recreation Minutes – 6/18/2019, (No Quorum for July)
- Planning Board Minutes – 6/11/2019, (No July Meeting)
- Recreation Center Report – August 2019
- Senior Center Report – August 2019
- Town Clerk Report – August 2019
- Traffic & Safety Minutes – 8/1/2019

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #223 RE: SEQR Determination – Local Law#_____ of 2019 for the Introductory Local Law # _____ of the year 2019 which would Establish a Six Month Moratorium on Ground Mounted Solar Equipment Approvals in the Town of Chili.

OFFERED BY: _____ SECONDED BY: _____

WHEREAS, the Chili Town Board has received the proposed Local Law# _____ of 2019 for the adoption of a six month moratorium on Ground Mounted Solar Equipment Approvals; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili, having reviewed the SEQR regulations hereby determines that the adoption of Local Law # _____ for a six month moratorium on Ground Mounted Solar Equipment Approvals is to be considered an Unlisted action.

RESOLUTION #224 RE: Adoption of Local Law#_____ of 2019 for the Adoption of a Six Month Moratorium on Ground Solar Equipment Approvals to the Town Code, Town of Chili

OFFERED BY: _____ SECONDED BY: _____

PURSUANT TO A CALL OF A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF CHILI , COUNTY OF MONROE AND STATE OF NEW YORK , WHICH WAS DULY HELD AT THE TOWN HALL, 3333 CHILI AVENUE , ROCHESTER , NEW YORK 14624 ON THE 14th DAY OF AUGUST 2019, AT 7:00 P.M

WHEREAS, a proposed Local Law #_____of 2019 was introduced to the Town Board of the Town of Chili, by Councilwoman Sperr on the 17th day of July 2019; 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 August, 2019, a public hearing was held at the 7:00 p.m. to consider adoption of the proposed Local Law #_____of 2019 for a six month moratorium on Ground Solar Equipment Approvals; and

NOW, THEREFORE, BE IT RESOLVED, that the Local Law #_____of 2019 is hereby enacted by the Town Board of the Town of Chili.

Duly put to a vote as follows:

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

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RESOLUTION #225 RE: Set Public Hearing for Local Law ____ of 2019 to Over Ride NYS Tax Cap for the 2020 Budget Year

OFFERED BY: _____ SECONDED BY: _____

WHEREAS, Introductory Local Law #____ of the year 2019 has been introduced; and

WHEREAS, the Town Board, prior to its final deliberations regarding the merits of said local law, wishes to offer the members of the public an opportunity to be heard; and

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing be set for October 16, 2019 at 7:00 p.m. to consider the adoption of Local Law #____ of the year 2019 to Over Ride NYS Tax Cap for the 2020 Budget Year in the Town of Chili.

RESOLUTION #226 RE: Set Public Hearing on the 2020 Preliminary Budget

OFFERED BY: _____ SECONDED BY: _____

BE IT RESOLVED, in accordance of Section 108 of the Town Code the Town Board establishes the date, place and time for the Public Hearing on the 2020 Preliminary Budgets as follows and directs the Town Clerk to publish notice of same, in accordance with Section 108, in the Gates-Chili Post:

DATE: October 16, 2019

PLACE: Town Hall, 3333 Chili Avenue, Rochester, NY 14624

BE IT FURTHER RESOLVED, that a Public Hearing be set for October 16, 2019 at 7:00 p.m. for the purpose of considering:

Water Districts Assessment Rolls (South Chili Benefit Area #2)

Sewer Districts (Chili Sewer Improvement Benefit Area #1)

Lighting Districts (Consolidated Lighting District #1, Chili Industrial, Pumpkin Hill, Blueberry Hill, Parklands of Chili)

Sidewalk Districts (Park Place, Vistas at the Links)

Park District (Lexington)

Consolidated Drainage District

Assessment Rolls for Fire and Fire Protection Districts (Chili, Gates-Chili, Clifton)

Assessment Rolls for Ambulance District (CHS Ambulance)

Proposed contracts for Ambulance District

Proposed contracts for Fire and Fire Protection Districts

Preliminary Budget 2020

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish notice of same, in accordance with Section 108, in the Gates-Chili Post is hereby ratified.

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RESOLUTION #227 RE: Transfer to Debt Service Fund

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

WHEREAS, funds were obtained via bond issue to expand the town-wide water district, specifically for an area referred to as the Black Creek Extension No. 2; and

WHEREAS, work has been completed on this project and the Town does not foresee any further expansion of the town-wide water district; and

WHEREAS, no further debt service exists for this project and there is an outstanding fund balance from excess bonds in the Special Water District Fund of approximately \$61,000.00; and

NOW, THEREFORE, BE IT RESOLVED, to transfer all of the excess funds from the Special Water District Fund to the Debt Service Fund, to be used against future Town debt.

RESOLUTION #228 RE: Building Department

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

BE IT RESOLVED, that Kathryn Rogers shall be appointed as Planning Clerk and shall be paid an annual salary of \$32,268.00 (PG 25) effective September 23, 2019, pending background check, expenses to be paid by voucher as incurred.

RESOLUTION #229 RE: Marriage Certificate Fees for Active Military

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

WHEREAS, on August 20, 2019 the Governor signed an amendment to subdivision 3 of section 14-a of the domestic relations law to permit towns and cities to waive the fees they charge for marriage certificates for active duty members of the U.S. armed forces or their spouses; and

WHEREAS, the Town Board wishes to support this amendment; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board authorizes the waiver of marriage certificate fees for active members of the US military and their spouses.

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RESOLUTION #230 RE: Authorizing Legal Services – Recover Cost of Demolition

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

WHEREAS, on or about May 1, 2019 the Town of Chili executed an order to demolish the structures at 2852 Chili Ave.; and

WHEREAS, the Town has taken appropriate measures to attempt to recover the cost of the demolition from the property owner; and

WHEREAS, recent court rulings will prevent the Town from recovering the costs by way of an addition to the tax levy on the property; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to retain the services of Evans & Fox LLP to represent the Town in the recovery of all costs associated with the demolition.

RESOLUTION #231 RE: Chili Fire Department Active List

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

BE IT RESOLVED, that the following individual(s) be added to the Chili Fire Department active list effective September 9, 2019:

Helen Campbell, Jesus Castro, Terrell Dudley, Regina Hines, Akhil Sondhi, Alex Wasmuth

RESOLUTION #232 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 September 9, 2019:

John Varrone

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RESOLUTION #233 RE: Chili Fire Department Exempt List

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

BE IT RESOLVED, that the following individual(s) be removed from the Chili Fire Department active list to the exempt list effective August 19, 2019:

Erik Margolin, Erik Schwenzer

RESOLUTION #234 RE: Letter of Credit Release #1 for American Packaging

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$141,828.00 be released from the letter of credit #SB-2022820001 with M&T Bank for American Packaging, leaving a balance of \$33,408.00; subject to engineering fees and street light bills to the Town.

RESOLUTION #235 RE: 2019 Budget Amendments

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

BE IT RESOLVED, to transfer \$447.00 from A1010.1 (Town Board – Personnel Services) to A1010.4 (Town Board - Contractual); and

BE IT FURTHER RESOLVED, to transfer \$447.00 from A8010.1 (Zoning – Personnel Services) to A8010.4 (Zoning – Interpreters/ Stenographers); and

BE IT FURTHER RESOLVED, to transfer \$994.00 from A8020.1 (Planning – Personnel Services) to A8020.4 (Planning – Contractual); and

BE IT FURTHER RESOLVED, to transfer \$80,000.00 from DA5142.4 (Snow Removal – Snow Miscellaneous) to DA5110.4 (General Repairs – Asphalt and Stone).

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RESOLUTION #236 RE: Authorizing alienation of 4400 Buffalo Rd. Tax Acct.# 131.20-1-20 (Recreation Department) & Portions of 3235 Chili Ave. Tax Acct.# 146.13-1-18, 146.13-1-19 & 146.13-1-19/Cell (Court & Senior Center).

OFFERED BY: _____ SECONDED BY: _____

WHEREAS, the Town anticipates relocating the Recreation Department and Senior Center; and

WHEREAS, it is the intent of the town to eventually sell the properties on which these are located which will be contingent upon obtaining all necessary approvals for alienation; and

WHEREAS, additionally, the subject parcel/s may constitute park land which requires special state legislation approving the alienation of the parcel/s and alienation is expressly conditioned upon obtaining such legislation as well as any and all other incidental relief, local or state, necessary in connection with conveyance of park land by the Town to a private entity; and

WHEREAS, the Town wishes to retain portions of 3235 Chili Ave. which will require subdivision of that parcel; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board authorizes the Supervisor to:

- 1) Obtain property appraisals 4400 Buffalo Rd & 3235 Chili Ave.
 - 2) Retain Surveyor Services (3235 Chili Ave)
 - 3) Identify appropriate subdivision (3235 Chili Ave)
 - 4) Seek Necessary approvals, State & Local where appropriate
 - 5) Entertain purchase offers, subject to obtaining all necessary approvals
-

RESOLUTION #237 RE: August 21, 2019 Abstract

OFFERED BY: _____ SECONDED BY: _____

WHEREAS, January 2, 2019 Resolution #1 authorized vouchers to be paid August 21, 2019, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 32028, 32140, 32142, 32168, 32274-32275, 32278-32285, 32293-32298, 32301, 32303, 32308-32312, 32314-32365, 32374-32403, 32410-32429, 32433-32447, 32449-32450 totaling \$780,752.73 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:

General Fund	\$	66,222.73
Highway Fund		89,319.70
H60 Community Center		619,072.04
Drainage District		6,138.26
Total Abstract	\$	<u>780,752.73</u>

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RESOLUTION #238 RE: September 4, 2019 Abstract

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

WHEREAS, January 2, 2019 Resolution #1 authorized vouchers to be paid September 4, 2019, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 31806, 31935, 32292, 32448, 32454-32456, 32462-32469, 32475-32481, 32483, 32485, 32491-32499, 32501-32512, 32515-32567, 32570-32571 totaling \$272,485.92 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:

General Fund	\$ 72,678.47
Assessment Reserve	1,750.00
General Fleet Reserve	39,000.00
Highway Fund	84,092.63
Library Fund	1,924.18
H60 Community Center	57,684.13
Drainage District	2,398.46
Street Lighting Districts	12,958.05
Total Abstract	<u>\$ 272,485.92</u>

RESOLUTION #239 RE: September 18, 2019 Abstract

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

BE IT RESOLVED, to pay vouchers 32313, 32500, 32572-32589, 32593-32598, 32602-32605, 32607, 32609, 32611-32656, 32658-32677, 32683-32690, 32692-32693 totaling \$623,746.99 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 71,916.91
Comprehensive Plan Reserve	3,480.00
Highway Fund	37,357.13
H60 Community Center	508,260.96
Drainage District	2,731.99
Total Abstract	<u>\$ 623,746.99</u>

The next regular meeting of the Chili Town Board will be on Wednesday October 16, 2019 at 7:00 p.m. in the Chili Town Hall main meeting room.