

Chili Town Board Meeting
November 13, 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.

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H. *Matters of the Supervisor* –

New Matters:

Pending Matters:

Matters of the Town Council –

New Matters:

Pending Matters:

I. Approval of Minutes – 10/16/2019

Reports Submitted –

Advanced Payment of Claims – October 2019

Architectural Advisory Committee Minutes – 9/10/2019, (No August Mtg.)

Building Department Report – October 2019

Conservation Board Minutes – 10/7/2019

Dog Control Reports – October 2019

Drainage Committee Minutes – 9/3/2019

Historic Preservation Board Minutes – 9/16/2019

Parks & Recreation Minutes – 9/17/2019

Senior Center Report – October 2019

Town Clerk Report – October 2019

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification that Mary Fisher, Chili Parks & Recreation Committee has resigned effective September 17, 2019.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #251 RE: Penflex Inc. Agreement

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

BE IT RESOLVED, that Supervisor Dunning is authorized to enter into a Service Fee Agreement with Penflex, Inc. to perform standard administrative services for the Chili Fire Department Inc. Service Award Program for the term November 1, 2019, to October 31, 2020, as well as actuarial services in connection with the GASB 73 required financial statement disclosures.

RESOLUTION #252 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 \$50.00 donations from Pat Butterfield, Peter Darling and VFW Memorial Aux #412 and \$245.00 from Court Reporters, Hall of Justice in memory of Joanne Tubbs. The total is \$395.00 to be deposited in the Senior Center Trust and Agency.

RESOLUTION #253 RE: Modifications to Preliminary Budget

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

BE IT RESOLVED, that the following modifications be made to the 2020 Preliminary Budget:

1. Amend A3001 (State Per Capita Aid) to \$170,000 from the 2020 Preliminary Budget amount of \$0.
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RESOLUTION #254 RE: Adopting Assessment Rolls for 2020 for Lighting Districts, Drainage District, Fire District, Fire Protection Districts, Ambulance District, Water District, Park District, Sidewalk Districts and Sewer District

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

WHEREAS, this Board on October 16, 2019 commencing at 7:00 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2020, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance district, water district, park district, sidewalk districts, and sewer district for 2020, and having heard all persons desiring to be heard in the matter and said assessment rolls for said fiscal year having been fully discussed and considered by the Town Board acting on behalf of all said Districts; and

BE IT RESOLVED, that the assessment rolls for 2020 for the various lighting districts, drainage district, fire district, fire protection districts, ambulance district, water district, park district, sidewalk districts, and sewer district, as printed in the preliminary budget, are hereby adopted and established as the final assessment rolls for the fiscal year beginning January 1, 2020; and

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

RESOLUTION #255 RE: Adoption of the Annual Town Budget for 2020

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

WHEREAS, this Board on October 16, 2019 commencing at 7:00 p.m., duly held a public hearing on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2020, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance district, water district, park district, sidewalk districts, and sewer district for 2020, and having heard all persons desiring to be heard in the matter of the budget for this Town for such fiscal year having been fully discussed and considered; and

BE IT RESOLVED, that said preliminary budget is approved and filed, including the budgets for the lighting districts, drainage district, fire protection districts, ambulance district, water district, park district, sidewalk districts, and sewer district for 2020, and that such annual budget is so adopted as detailed in the minutes of the proceedings of this Town Board; and

BE IT FURTHER RESOLVED, that the salaries of the elected officials included in the 2020 budget and as set forth in the published notice are adopted as published; and

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

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RESOLUTION #256 RE: Authorizing Surety, Form, and Amount of Official Undertaking for the Faithful Performance of the Duties of the Town Clerk and Receiver of Taxes and Assessments

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

BE IT RESOLVED, as follows:

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

Type of Undertaking: Government - Form P-Faithful Performance

Insurance company: Utica National Insurance Group

Amount: \$500,000

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

RESOLUTION #257 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 below:

Christopher Cody (10/14/2019) & Christopher Markert (10/14/2019) & Justin Carlson (11/11/2019)

RESOLUTION #258 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 11, 2019:

Thomas Gamble

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RESOLUTION #259 RE: SEQR - Designating the Town Board Lead Agency Status for the Granting of an Easement for 3235 Chili Avenue

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

WHEREAS, the Town Board of the Town of Chili (hereinafter referred to as Town Board) has reviewed the Part 1 of the Short Environmental Assessment Form, prepared by the Commissioner of Public Works for the granting of a permanent easement to the Rochester Gas and Electric Corporation for property located at 3235 Chili, Rochester NY 14624 (Tax ID 146.13-1-19 & 146.13-1-18) (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 #260 RE: SEQR - Determination of Significance for the Granting of Easement for 3235 Chili Avenue

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

WHEREAS, the Town Board of the Town of Chili (hereinafter referred to as Town Board) has determined that the granting of an easement to the Rochester Gas and Electric Corporation for property located at 3235 Chili, Rochester NY 14624 (Tax ID 146.13-1-19 & 146.13-1-18) (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 November 13, 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 #261 RE: Granting of Easement to the Rochester Gas and Electric Corporation –
3235 Chili Avenue**

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

WHEREAS, the Rochester gas and Electric Corporation is seeking a Permanent Easement from the Town of Chili as depicted, described and set forth on Exhibit 1 and 2 annexed here to; and

WHEREAS, the purpose of said easement is to, from time to time, lay, construct, reconstruct, increase, enlarge, raise, lower, replace, erect, relocate, extend, operate, inspect, maintain, protect, move, repair and replace at its pleasure, any and all conduits, mains, pipes, regulators, valves, vaults, meters, stacks, manholes, cabinets, services and any and all other appurtenances and fixtures which the Grantee shall require now and in the future for the underground transmission and/or distribution of gas by the Grantee; provided that manhole covers, valves, cabinets and stack may be located at or above ground level within said Easement Premises; and

NOW, THEREFORE, BE IT RESOLVED, that upon approval of the Attorney for the Town Board of the Town of Chili, the Town of Chili shall grant to the Rochester Gas and Electric Corporation a permanent easement located at 3235 Chili, Rochester NY 14624 (Tax ID 146.13-1-19 & 146.13-1-18). The easement to be granted is depicted on a survey maps made by DDS Companies dated October 30, 2019; as set forth on Exhibit 1 and 2 annexed here to; and

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

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RESOLUTION #262 RE: In Memory of Mary White

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

WHEREAS, we the Town Board of the Town of Chili find it befitting to extend our deepest sympathy to the White family during the passing of Mary White, who on October 20, 2019 passed away; and

WHEREAS, Mary White served as a Substitute School Crossing Guard from 10/7/1992 to 9/14/2015; and

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

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RESOLUTION #263 RE: 2019 Budget Amendments

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

BE IT RESOLVED, to transfer \$400 from A1990.4 (Contingency) to A1680.2 (Information Technology - Equipment); and

BE IT FURTHER RESOLVED, to transfer \$475 from A1990.4 (Contingency) to A1330.1 (Tax Collector – Personnel Services); and

BE IT FURTHER RESOLVED, to transfer \$275 from A1990.4 (Contingency) to A1410.1 (Town Clerk – Personnel Services); and

BE IT FURTHER RESOLVED, to transfer \$50 from A1990.4 (Contingency) to A1430.1 (Personnel – Personnel Services); and

BE IT FURTHER RESOLVED, to transfer \$300 from A1990.4 (Contingency) to A5010.1 (Superintendent of Highways – Personnel Services); and

BE IT FURTHER RESOLVED, to transfer \$70,000 from DA5142.4 (Snow Removal – Snow Miscellaneous) to DA5110.4 (General Repairs – Asphalt and Stone).

RESOLUTION #264 RE: November 6, 2019 Abstract

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

WHEREAS, January 2, 2019 Resolution #1 authorized vouchers to be paid November 6, 2019, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 32751, 32831, 32969-32971, 32974, 32981-32982, 32985-32986, 32989-32990, 33005-33010, 33012, 33025, 33048-33049, 33111-33116, 33118-33137, 33139-33146, 33148-33154, 33158-33165, 33167, 33169-33171, 33174, 33176, 33180-33194, 33196-33202, 33204-33258 totaling \$349,873.12 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	\$	154,304.78
Assessment Reserve		1,750.00
Highway Fund		137,126.93
Library Fund		1,899.29
H60 Community Center		36,529.00
Drainage District		5,518.44
Street Lighting Districts		12,744.68
Total Abstract	\$	<u>349,873.12</u>

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The next meeting of the Chili Town Board will be Wednesday, December 11, 2019 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.