

Chili Town Board Meeting
September 16, 2020
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 **James V. Valerio** _____
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 – Not in Attendance**
Supervisor’s Office **Dawn Forte – Not in Attendance**
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. For those who will be addressing the Town Board through our Live Streaming, may enter their comments on the live feed. Those comments will be read by the Supervisor once all who are physically present 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 public forum time, if at all possible. Virginia L. Ignatowski, Town Clerk, or her designee 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 – 8/12/2020

Reports Submitted –

Advanced Payment of Claims – August 2020

Building Department Report – August 2020

Chili Parks & Recreation Minutes – 7/14/2020

Conservation Board Minutes – 7/13/2020

Dog Control Report – August 2020

Library Board Minutes – 7/28/2020

Monthly Financial Statement – July 2020, August 2020

Planning Board Minutes – 7/14/2020, 8/11/2020

Recreation Revenue Report – July 2020

Senior Center Revenue Report – July 2020

Town Clerk Report – August 2020

Traffic & Safety Committee Minutes – 3/5/2020, (No Mtgs. April 2020, May 2020, June 2020, July 2020), 8/6/2020

Zoning Board Minutes – 7/28/2020

J. Correspondence –

1. The Town of Chili has received notification from Joyce Scott, Substitute School Traffic Guard – PT; that she is resigning effective September 2, 2020.
2. The Town of Chili has received notification from Michael Resch, Highway that he is resigning effective July 27, 2020.
3. The Town of Chili has received notification from Steven West, Highway that he is resigning effective September 10, 2020.
4. The Town of Chili has received notification from Brian Ostling, Deputy Commissioner of Public Works that he is retiring effective September 25, 2020.

K. Pending Business

L. Old Business

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M. New Business

RESOLUTION #213 RE: Set Public Hearing on the 2021 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 2021 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 14, 2020

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

BE IT FURTHER RESOLVED, that a Public Hearing be set for October 14, 2020 at 7:00 p.m. for the purpose of considering:

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 2021

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.

RESOLUTION #214 RE: Library Board of Trustees

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

BE IT RESOLVED, that Vinny Dallo be appointed to the Library Board of Trustees to complete the term of Andrew Lucyszyn term to expire December 31, 2020.

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RESOLUTION #215 RE: Community Center Debt Service

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

WHEREAS, the Town has \$196,253.00 in its Debt Service Fund, which accounts for the accumulation of resources for the payment of long-term debt; and

WHEREAS, in August 2020 the Town entered into its second long-term debt agreement for the new Community Center, and will incur bond interest expense of \$34,167.00 in 2020; and

WHEREAS, the Town wishes to utilize debt service funds in a manner that maximizes current cash flows and minimizes future debt service expense for the Town; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue budget A5031 (Inter-fund Transfers) by an increase of \$34,167.00; amend expense budget A9710.7 (Interest on Debt Service) by an increase of \$34,167.00; and transfer \$34,167.00 from the Debt Service Fund to the General Fund, to be utilized against the 2020 interest payments.

RESOLUTION #216 RE: Establish Letter of Credit for King Forest - Section 6, Phase B

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 King Forest Section 6B in the amount of \$143,420.84.

Items within the letter of credit include, but are not limited to storm sewers, roadway work, street trees, street lights, storm water control and erosion and sediment control.

RESOLUTION #217 RE: Letter of Credit Release #6 for Rose Hill, Phase 2

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$14,040.00 be released from the letter of credit #520006900 with the Bank of Castile for Rose Hill, Phase 2, leaving a balance of \$411,653.66; subject to engineering fees and street light bills to the Town.

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RESOLUTION #218 RE: Release of Drainage Easements

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

WHEREAS, James Group Inc. (the “Applicants”) are owners and/or contract vendees of property located at 160B King Road, Town of Chili, New York; and

WHEREAS, portions of the Applicants future improvements for a proposed 8 lot subdivision with a public highway will encroach onto two (2) unused sewer/drainage easements owned by the Town of Chili and one (1) sewer/drainage easement that will be no longer needed as its limits will fall within the proposed right of way boundary; and

WHEREAS, these easements are granted to the Town at Liber 3427 of Deeds, Page 176 and Easement #3 at Liber 5271 of Deeds, Page 16, and Liber 164 of Deeds, Page 64 and the Applicant has applied to the Town Board for a release of said easements owned by the Town of Chili; and

WHEREAS, the future improvements include all necessary and required proposed storm sewer/drainage easements that will provide adequate access to all dedicated storm water features and necessary drainage paths; and

NOW, THEREFORE, BE IT RESOLVED, subject to a permissive referendum, that upon approval of the Commissioner of Public Works and Counsel for the Town of Chili and filing of all proposed storm sewer/drainage easements as shown on plans prepared by Fitzgerald Engineering and Arrowpoint Land Surveyors titled Gilead Pond Subdivision, and approved by the Town, the Town of Chili shall release to the above named Easements that were granted to the Town at Liber 3427 of Deeds, Page 176 and Easement #3 at Liber 5271 of Deeds, Page 16 and Liber 164 of Deeds, Page 64; 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, the release of easement attached hereto relating to the Applicants' property after the release of easement has been approved by the Commissioner of Public Works and the Counsel for the Town of Chili; and

BE IT FURTHER RESOLVED, that the Applicants shall pay to the Chili Town Clerk all costs incurred or to be incurred by the Town in this matter including, but not limited to: engineering review costs (if an engineering review is deemed necessary by the Commissioner of Public Works) legal review costs, publication costs and recording fees; and

BE IT FURTHER RESOLVED, that within (10) days hereof the Town Clerk shall publish and post a notice of the adoption of this resolution, and an abstract thereof, as required by law.

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RESOLUTION #219 RE: Purchase of Lowboy Trailer

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

WHEREAS, included in the approved 2020 budget is the purchase of one (1) new truck and trailer (Lowboy) combination; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase of the trailer portion of the truck and trailer combination which is a Base Model – T-70DTG Lowboy trailer from George and Swede off Sourcewell (Contract # 93186) for a cost not to exceed \$60,000.00 to be paid from Account DA5130.2 (Machinery Equipment).

RESOLUTION #220 RE: Authorize Supervisor to Sign Contract for Community Development Block Grant (CDBG) – Memorial Park ADA Bathroom Upgrades

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

WHEREAS, the Town has received notification from Monroe County that the Memorial Park ADA Bathroom Upgrades Project will be funded by the 2020 Community Development Block Grant Program (CDBG) in the amount of \$50,000.00; and

NOW, THEREFORE, BE IT RESOLVED, to accept the CDBG grant and to authorize the Supervisor to sign the contract and certification subject to the review and approval of Counsel for the Town; and

BE IT FURTHER RESOLVED, to amend the 2020 revenue budget A2706 (Grants from Local Governments) by an increase of \$50,000.00; and amend the 2020 expense budget A7110.4 (Parks - Construction) by an increase of \$50,000.00.

RESOLUTION #221 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 9/14/2020:

Levi Wyns

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RESOLUTION #222 RE: Chili Fire Department Exempt List

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

BE IT RESOLVED, that the following individual(s) be added to the Chili Fire Department exempt list from the CFD active list effective see below:

Donald Johnson 8/13/2020, David Saur 9/8/2020

RESOLUTION #223 RE: Authorizing Sale of 4400 Buffalo Rd.

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

WHEREAS, upon completion of the new Chili Community Center and relocation of the Town of Chili Recreation Department, the Town Board determines that it has no plans for utilization of 4400 Buffalo Rd. and deems it surplus property; and

WHEREAS, it is the intent of the Town Board to offer the property for sale; and

BE IT RESOLVED, that the Town Board authorizes the Supervisor to take all necessary actions to engage in the listing, sale and closing of 4400 Buffalo Rd.; and

BE IT FURTHER RESOLVED, this resolution is subject to permissive referendum and according to §82 and §90 of the Town Law, within ten (10) days of the date of this resolution, the Town Clerk shall post and publish a Notice which shall set forth the date of the adoption of the resolution, shall contain an abstract of such resolution, shall specify that this resolution was adopted subject to a permissive referendum; and shall publish such notice in the official newspapers of the Town of Chili, and in addition thereto, that the Town Clerk shall post or cause to be posted on the signboard of the Town a copy of said Notice within ten (10) days of the adoption of this resolution.

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RESOLUTION #224 RE: Structure Demolition Award

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

WHEREAS, four (4) bids were received for the demolition of a Town owned barn and house located at 177 Archer Road); and

WHEREAS, the quotes are received and tabulated as follows:

<u>Bidder</u>	<u>Total Bid</u>
Sessler Environmental	\$70,350.00
Frederico Demolition	\$81,098.00
RCI Contracting	\$125,888.00
DC Rolloffs	\$130,000.00

WHEREAS, the Commissioner of Public Works/Superintendent of Highways has reviewed the submitted bids and has made the determination that the proposal from Sessler Environmental best meets the intent of the specification and requirements of the town and is acceptable for the intended use and recommends that it be accepted; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Commissioner of Public Works, to accept the bid from the Sessler Environmental for the structure demolition at 177 Archer Road for a cost to not exceed \$80,000.00 to be paid from H7110.2000.0061 (Rec Facility - Archer Rd Park).

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RESOLUTION #225 RE: August 19, 2020 Abstract

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

WHEREAS, January 2, 2020 Resolution #1 authorized vouchers to be paid August 19, 2020, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 35641-35642, 35702-35706, 35708-35721, 35723-35728, 35730-35732, 35737-35738, 35740-35757, 35763-35781, 35783-35784, 35786-35790, 35795-35805, 35807 totaling 234,487.93 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	\$	46,861.22
Assessment Reserve		1,750.00
Highway Fund		180,259.70
H60 Community Center		5,042.49
Drainage District		369.91
Fire Protection Districts		204.61
Total Abstract	<u>\$</u>	<u>234,487.93</u>

RESOLUTION #226 RE: September 2, 2020 Abstract

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

WHEREAS, January 2, 2020 Resolution #1 authorized vouchers to be paid September 2, 2020, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 35707, 35729, 35739, 35809, 35811-35825, 35828-35829, 35837-35841, 35846-35865, 35867-35875, 35879, 35881, 35885-35907, 35910-35935 totaling 163,065.64 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	\$	98,706.63
Highway Fund		49,024.57
Library Fund		1,818.60
H60 Community Center		378.00
Drainage District		306.37
Street Lighting Districts		12,664.92
Park Districts		166.55
Total Abstract	<u>\$</u>	<u>163,065.64</u>

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RESOLUTION #227 RE: September 16, 2020 Abstract

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

BE IT RESOLVED, to pay vouchers 35831-35832, 35936-35945, 35947-39958, 39961-35967, 35969, 35971, 35973-35988, 35993-36043 totaling \$1,328,269.76 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 38,657.34
Highway Fund	175,068.20
H60 Community Center	1,114,114.18
Drainage District	231.52
Fire Protection Districts	198.52
Total Abstract	<u>\$ 1,328,269.76</u>

The next meeting of the Chili Town Board will be Wednesday, October 14, 2020 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.