

CHILI TOWN BOARD
September 16, 2020

A regular meeting of the Chili Town Board was held on September 16, 2020 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

PRESENT: Councilman DeCory; Councilman Slattery, Councilwoman Sperr, Councilman Valerio and Supervisor David Dunning.

ALSO PRESENT: Sandra Hewlett, Stenographer; Virginia Ignatowski, Town Clerk; David Lindsay, Commissioner of Public Works/Highway Superintendent; Councilman Slattery, Deputy Town Supervisor; Richard Stowe, Counsel for the Town.

The invocation was given by Virginia Ignatowski.

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

At this point, a Public Forum was conducted to allow public speakers to address the Town Board.

SUPERVISOR DUNNING: We do have a public forum. Seeing that there was no one in the room and -- unfortunately, I do not seem to have a feed on the face -- or on the YouTube video, so I can't tell if we have anyone watching nor can I receive any comments. So being -- given that, I'm going to close the public forum.

The Public Forum concluded at 7:02 p.m.

MATTERS OF THE SUPERVISOR:

SUPERVISOR DUNNING: Under Matters of the Supervisor, I do not have anything this evening.

MATTERS OF THE TOWN COUNCIL: Nothing to report.

The 8/12/2020 Town Board meeting minutes were approved.

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
Drainage Committee Minutes – 8/4/2020
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, August 2020
Senior Center Revenue Report – July 2020, August 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

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.

SUPERVISOR DUNNING: Certainly wish Brian (Ostling) all of the best. He's done a good job for us and we appreciate his contribution to the Town.
COUNCILWOMAN SPERR: Very much so.

RESOLUTION #213 RE: Set Public Hearing on the 2021 Preliminary Budget

OFFERED BY: Councilman Slattery

SECONDED BY: Councilman DeCory

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.

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

RESOLUTION #214 RE: Library Board of Trustees

OFFERED BY: Councilman Valerio

SECONDED BY: Councilwoman Sperr

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.

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

RESOLUTION #215 RE: Community Center Debt Service

OFFERED BY: Councilman Slattery

SECONDED BY: Councilman DeCory

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.

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

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

OFFERED BY: Councilman DeCory SECONDED BY: Councilwoman Sperr

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.

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

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

OFFERED BY: Councilman Valerio SECONDED BY: Councilman DeCory

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.

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

RESOLUTION #218 RE: Release of Drainage Easements

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman DeCory

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.

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

RESOLUTION #219 RE: Purchase of Lowboy Trailer

OFFERED BY: Councilman Valerio SECONDED BY: Councilwoman Sperr

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).

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

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

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

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.

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

RESOLUTION #221 RE: Chili Fire Department Active List

OFFERED BY: Councilman Valerio SECONDED BY: Councilman DeCory

BE IT RESOLVED that the following individual(s) be added to the Chili Fire Department active list effective 9/14/2020:

Levi Wyns

Councilman DeCory - Aye

Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

RESOLUTION #222 RE: Chili Fire Department Exempt List

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

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

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

RESOLUTION #223 RE: Structure Demolition Award

OFFERED BY: Councilman DeCory SECONDED BY: Councilman Slattery

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).

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

RESOLUTION #224 RE: Amendment to State Snow and Ice Agreement

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Valerio

WHEREAS, the Town of Chili is under contract with the New York State Department of Transportation to provide snow and ice control on State roads within the Town; and

WHEREAS, due to the severity of the winter during 2019/2020, the total cost to perform this service is estimated at \$339,026.03; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Town Supervisor to execute an Amendment to the present Agreement. Said Amendment would increase the estimated cost to perform snow and ice control for the 2019/2020 season to a total amount of \$339,026.03.

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye

Supervisor Dunning - Aye

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I heard a comment today our camera was down for a little bit over there.

SUPERVISOR DUNNING: It was.

COUNCILWOMAN SPERR: Is it back up now?

SUPERVISOR DUNNING: It is.

RESOLUTION #225 RE: Community Center Security Cameras and Wireless Infrastructure

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, the Town of Chili is building a new Community Center that requires both a wireless network and security camera infrastructure; and

WHEREAS, the Director of MIS has determined equipment specifications and specification requirements to meet the needs of the facility in the areas of wireless network access and camera security; and

WHEREAS, the Director of MIS secured the following pricing for security camera equipment and network wireless access equipment that meets specification requirements from the following vendors:

Upstate Communications and Security:	\$19,525
*GovConnection:	\$22,787
CDW-G:	\$25,596

* GovConnection quoted wireless equipment under NYS OGS #PM20800 and camera equipment under NCPA 01-44 contracts.

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to purchase 5 wireless access points and accessories with licensing, 37 security cameras and accessories from Upstate Communications and Security for a cost not to exceed \$19,525.00 to be paid from Account H7180.2000.0060 (Community Center Project); and

BE IF FURTHER RESOLVED, that the Town Supervisor is hereby authorized to purchase 37 ExacqVision camera licenses to add the additional cameras to the existing camera system from Upstate Communications and Security, the vendor for the existing camera system for an amount not to exceed \$4,625.00 to be paid from Account H7180.2000.0060 (Community Center Project); and

BE IT FURTHER RESOLVED, that the Town Supervisor is hereby authorized to contract with Upstate Communications and Security for professional services to program and adjust the cameras purchased herein for a cost not to exceed \$3,200.00 to be paid from Account H7180.2000.0060 (Community Center Project).

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I would just like to say as you go through the SEQR document, there -- there is a couple points that you need to be aware of and certainly the public needs to be aware of that. There is a section in there where the property is eligible -- and I'm using the word "eligible" -- for historic status. It doesn't mean it has historic status. It is eligible for it.

In speaking with Counsel today, we both found out we were also eligible for historic status. (Laughter.)

RICHARD STOWE: Wow.

SUPERVISOR DUNNING: However, you go further into the document, you will notice that one of the questions is answered "No."

This has no significance in what we -- the action we may take in any further resolutions here this evening. This resolution and/or any other subsequent resolutions. The sale of the property is not affected by that particular status.

COUNCILWOMAN SPERR: You say there were two points. Is that --
SUPERVISOR DUNNING: That's it. There are two sections of the SEQR document.
COUNCILWOMAN SPERR: Okay. Got it. Thank you.

**RESOLUTION #226 RE: Designating Lead Agency Status and SEQR
Determination for the Sale of 4400 Buffalo Road**

OFFERED BY: Councilman Valerio SECONDED BY: Councilwoman Sperr

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 sale of 4400 Buffalo Road, Rochester NY 14624 (Tax ID 131.20-1-20) (hereinafter referred to as Action); and

WHEREAS; that the Town Board does hereby designate itself as the lead agency for the 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

WHEREAS, the Town Board has reviewed and does hereby accept Part 2 of the Short Environmental Assessment Form, dated September 16, 2020 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.

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

RESOLUTION #227 RE: Authorizing Sale of 4400 Buffalo Rd.

OFFERED BY: Councilman DeCory SECONDED BY: Councilman Slattery

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.

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Ave
Supervisor Dunning - Aye

RESOLUTION #228 RE: August 19, 2020 Abstract

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Valerio

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		<u>204.61</u>
Total Abstract	\$	234,487.93

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Ave
Supervisor Dunning - Aye

RESOLUTION #229 RE: September 2, 2020 Abstract

OFFERED BY: Councilman DeCory SECONDED BY: Councilman Valerio

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		<u>166.55</u>
Total Abstract	\$	163,065.64

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Ave
Supervisor Dunning - Aye

RESOLUTION #230 RE: September 16, 2020 Abstract

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman DeCory
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	\$	1,328,269.76

Councilman DeCory - Aye
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Councilman Valerio - Aye
Supervisor Dunning - Aye

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.

The meeting was adjourned at 7:11 p.m.

Steno by Sandra Hewlett.
Minutes, Virginia Ignatowski

