

CHILI TOWN BOARD MEETING - January 13, 2021

A regular meeting of the Chili Town Board was held on January 13, 2021 via Zoom meeting 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; Daniel Knapp, Director of Finance; 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.

NOTE: Due to procedures related to the Coronavirus (COVID-19) pandemic, this meeting was not open for in-person public attendance, nor could they view the live proceedings, but the meeting was recorded for later public viewing. Additionally, the public had opportunity to comment previous to the meeting through a Facebook Live session. Members noted as present to the meeting participated via Zoom.

MATTERS OF THE SUPERVISOR:

SUPERVISOR DUNNING: I really don't have much to offer right now. I apologize to public for not being able to participate. I did go over this agenda last night on Facebook Live. Hopefully some people got to see some of that. It wasn't -- it wasn't my greatest effort, but it was at least an opportunity for people to -- to jump in and -- and see what -- what was on this evening's agenda and comment if they wanted to.

MATTERS OF THE TOWN COUNCIL:

COUNCILMAN VALERIO: Thank you for doing that last night, David (Dunning). Think it helps the community a lot to hear what all of the agenda items mean.

SUPERVISOR DUNNING: Yeah. Thanks, James. Appreciate that.

The 12/16/2020 and 12/31/2020 Town Board meeting minutes were approved.

REPORTS SUBMITTED:

- Advanced Payment of Claims – December 2020
- Building Department Report – December 2020, 2020 Y/E Report
- Conservation Board Minutes – 10/5/2020, 12/7/2020
- Dog Control Reports – December 2021
- Planning Board Minutes – 12/8/2020
- Recreation Center Report – December 2020
- Senior Center Report – December 2020
- Town Clerk Report – December 2020
- Traffic & Safety Committee Minutes – 12/3/2020

CORRESPONDENCE:

1. The Town of Chili has received notification from James Bentley, Court Attendant that he is resigning effective 12/31/2020.

RESOLUTION #91 RE: Budgeted Use of Highway Equipment Reserve Funds

OFFERED BY: Councilman DeCory **SECONDED BY:** Councilwoman Sperr

WHEREAS, on November 18, 2020 by Resolution #248, the Town Board adopted the 2021 Annual Town Budget, which noted the desire to utilize reserve funds to purchase specific pieces of equipment; and

WHEREAS, the Highway Equipment Reserve has been established to aid in the acquisition of vehicles and equipment for the Town's Highway Department; and

NOW, THEREFORE, BE IT RESOLVED, that funds in an amount not to exceed \$35,000.00 from the Highway Equipment Reserve be used towards the purchase of a pickup truck, subject to Permissive Referendum; and

BE IT FURTHER RESOLVED, that funds in an amount not to exceed \$45,000.00 from the Highway Equipment Reserve be used towards the purchase of a 3-ton roller, subject to Permissive Referendum; and

BE IT FURTHER RESOLVED, that funds in an amount not to exceed \$75,000.00 from the Highway Equipment Reserve be used towards the purchase of a roadside tractor, subject to Permissive Referendum; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to give notice in the official newspaper of the Town.

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

RESOLUTION #92 RE: Use of Workers Compensation Reserve

OFFERED BY: Councilman Valerio **SECONDED BY:** Councilman Slattery

WHEREAS, the Workers Compensation Reserve was established in 2004 in accordance with General Municipal Law §6-j; and

WHEREAS, in an effort to reduce the tax burden and utilize the Town's reserves, the 2021 budget for workers' compensation was lowered, and excessive premiums were to be paid from the Workers' Compensation Reserve; and

NOW, THEREFORE, BE IT RESOLVED, to amend expense budget A9040.8000.0090 (Workers' Compensation – Reserve) by an increase of \$90,000.00.

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

RESOLUTION #93 RE: 2021 Budget Amendments

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to amend budget L7410.2 (Library - Equipment) by an increase of \$14,000.00; and

BE IT FURTHER RESOLVED, to amend the Library Fund appropriated fund balance to \$89,904.00 from the 2021 adopted budget amount of \$75,904.00.

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

RESOLUTION #94 RE: 2021 Budget Amendments – Grants

OFFERED BY: Councilman Valerio SECONDED BY: Councilman DeCory

WHEREAS, on March 16, 2016, by Resolution #128, the Town Board accepted a grant from the Department of Agriculture and Markets through its Farmland Protection Implementation Grants program and the New York State Environmental Protection Fund which is to be used to assist the Town in amending our local laws to remove unreasonable restrictions affecting agricultural lands and farm operations, and work had not been completed as of December 31, 2020; and

BE IT RESOLVED to amend the 2021 revenue budget A3089 (State Aid - Other) by an increase of \$1,080.00 and the 2021 expense budget A1410.4 (Town Clerk – General Code Updates) by an increase of \$1,080.00; and

WHEREAS, on September 16, 2020, by Resolution #220, the Town Board accepted a Community Development Block Grant from Monroe County which is to be used for the Memorial Park ADA Bathroom Upgrades Project, and work had not been completed as of December 31, 2020; and

BE IT RESOLVED, to amend the 2021 revenue budget A2706 (Grants from Local Governments) by an increase of \$50,000.00 and the 2021 expense budget A7110.4 (Parks - Construction) by an increase of \$50,000.00.

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

RESOLUTION #95 RE: Establish Letter of Credit for Mayflower Estates – Phase II

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Slattery

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 Mayflower Estates Phase II in the amount of \$86,669.35.

Items within the letter of credit include, but are not limited to storm sewers, post construction storm water control features and erosion and sediment control.

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

RESOLUTION #96 RE: Budgeted Use of Town-wide Drainage Improvement Reserve Funds

OFFERED BY: Councilman DeCory SECONDED BY: Councilwoman Sperr

WHEREAS, on November 18, 2020 by Resolution #248, the Town Board adopted the 2021 Annual Town Budget, which noted the desire to utilize reserve funds for the purchase of materials needed for drainage improvement projects; and

WHEREAS, the Town-wide Drainage Improvement Reserve has been established to aid in making improvements to the town-wide drainage system; and

NOW, THEREFORE, BE IT RESOLVED, that funds in an amount not to exceed \$25,000.00 from the Town-wide Drainage Improvement Reserve be used towards the purchase materials needed in improving the town-wide drainage system, subject to Permissive Referendum; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to give notice in the official newspaper of the Town.

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

RESOLUTION #97 RE: Set Public Hearing on Usage of the General Repairs and Maintenance for Town Roadways Reserve

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, on November 18, 2020, by Resolution # 248, the Town Board adopted the 2021 Annual Town Budget, which noted the desire to utilize reserve funds for the purpose of repairs and maintenance to Town roadways; and

WHEREAS, the General Repairs and Maintenance for Town Roadways Reserve was established under General Municipal Law for the purpose of general repairs and maintenance of Town roadways, and resolutions appropriating moneys from a repair reserve fund is subject to a public hearing; and

NOW, THEREFORE, 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 usage of the General Repairs and Maintenance for Town Roadways Reserve, in an amount not to exceed \$25,000.00, as follows and directs the Town Clerk to publish notice of same, in accordance with Section 108, in the Gates-Chili Post:

DATE: February 10, 2021
PLACE: Town Hall, 3333 Chili Avenue, Rochester, NY 14624

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

RESOLUTION #98 RE: University of Rochester Incentive Zoning

OFFERED BY: Councilman Valerio **SECONDED BY:** Councilman DeCory

WHEREAS, December 28, 2007, Resolution #346 accepted the Incentive Zoning Agreement with the University of Rochester, and on December 5, 2012, Resolution #322 extended the agreement through 2017, and on December 29, 2017, Resolution #284 extended the agreement through 2022; and

WHEREAS, Section A(3) of the agreement states the incentive zoning funds are to be used in accordance with the terms of the current section 115-89 Zoning Code; and

NOW, THEREFORE, BE IT RESOLVED, incentive zoning funds received in 2021 shall be deposited into the Sidewalk Reserve Fund.

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

RESOLUTION #99 RE: Forest Creek Incentive Zoning

OFFERED BY: Councilman DeCory **SECONDED BY:** Councilman Slattery

WHEREAS, September 14, 2016, Resolution #229 accepted the Incentive Zoning Agreement with Forest Creek Equity Corp, Rose Hill Estates; and

WHEREAS, November 15, 2017, Resolution #247 accepted the Incentive Zoning Agreement with Forest Creek Equity Corp, Carriage House Estates; and

WHEREAS, the agreement states the incentive zoning funds are to be used by the Town to benefit the community as a whole; and

NOW, THEREFORE, BE IT RESOLVED, incentive zoning funds received in 2021 shall be deposited into the Sidewalk Reserve Fund.

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

RESOLUTION #100 RE: Chili Fire Department Active List

OFFERED BY: Councilman Valerio **SECONDED BY:** Councilman Slattery

BE IT RESOLVED that the following individual(s) be added to the Chili Fire Department active list effective January 11, 2021:

Alyssa Tornstrom

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

RESOLUTION #101 RE: Chili Fire Department Exempt List

OFFERED BY: Councilman DeCory

SECONDED BY: Councilman Valerio

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

George Peterson 12/29/2020, Jared Guhl 1/3/2021, James Lechner 1/6/2021

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

RESOLUTION #102 RE: January 6, 2021 Abstract

OFFERED BY: Councilwoman Sperr

SECONDED BY: Councilman DeCory

WHEREAS, January 4, 2021 Resolution #1 authorized vouchers to be paid January 6, 2021, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 36896, 36901, 36916-36921, 36925, 36930-36933, 36938-36957, 36962-36984, 36987-37011, 37014-37016, 37018 totaling 1,389,918.66 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	\$	56,178.47
Highway Fund		100,425.80
Library Fund		1,560.42
H60 Community Center		1,217,013.24
Drainage District		1,662.30
Street Lighting Districts		<u>13,078.43</u>
Total Abstract	\$	1,389,918.66

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

The next meeting of the Chili Town Board will be Wednesday, February 10, 2021 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.

The meeting was adjourned at 7:09 p.m.

Steno by Sandy Hewlett
Minutes by Virginia Ignatowski, Town Clerk
