

CHILI TOWN BOARD
January 16, 2008

A meeting of the Chili Town Board was held on January 16, 2008 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: Councilwoman Ignatowski, Councilman Schulmerich, Councilman Slattery, Councilwoman Sperr and Supervisor David Dunning.

ALSO PRESENT: Richard Brongo, Town Clerk; Joseph Carr, Commissioner of Public Works/Highway Superintendent; Dawn Forte, Supervisor's Secretary; Chris Karelus, Building Department Manager; Dianne O'Meara, Director of Finance; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Richard Brongo.

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

PRESENTATIONS:

JOSEPH CARR: Tonight I want to recognize one of our long-standing employees, Laurie Hausler. Laurie (Hausler) started working with the Town in 1977 when Supervisor Little Jim Powers was in office, and she started working for Steve Chudyk. They were in a little office in the old Town Hall way in the back, and I think according to Laurie (Hausler), it was quite a challenge, quite an interesting time.

In my time, Laurie (Hausler) has worked for us as our clerk/typist, and I would have to say Laurie (Hausler) was incredibly gifted at what she did. Over the time she brought to me thousands of dollars of incorrect bills that she had uncovered. She is very detailed, and she was so knowledgeable about County bids, other towns would call Laurie (Hausler), the County would call Laurie (Hausler), vendors would call Laurie (Hausler) to figure out how they were supposed to bill off the complicated County bids.

I want to recognize two milestones that Laurie (Hausler) has achieved. First of all, on behalf of the Town Board -- Laurie (Hausler), would you please come up?

Let me read this plaque. Presented by the Chili Town Board to Laurie Hausler in appreciation for the 30 years of service, dedicated service to the Town of Chili. 30 years of service.

(Applause)

JOSEPH CARR: Now, Laurie (Hausler) has another milestone she is reaching. She is retiring. She knows something about that.

Laurie (Hausler), on behalf of your co-workers, we have taken a collection, and we're making a donation to one of your favorite charities, Hearthside Cats in Avon. And Laurie (Hausler), I want to thank you for all that you did for us. Congratulations on the milestone of 30 years of service and very best of wishes in your retirement.

Thank you.

MS. HAUSLER: Thank you very much.

(Applause)

SUPERVISOR DUNNING: Now I have the bittersweet privilege of -- Joe (Carr) -- Joe Carr, who knew the Town of Chili for 13 years, as I said, this is a -- a bittersweet honor to me to -- knowing that Joe (Carr) is much deserving of his retirement and his time now, but also sad to see him go.

But Joe (Carr), presented to you from the Chili Town Board, to Joe Carr, in appreciation for the 13 years of dedicated service to the Town of Chili. This plaque doesn't say enough, Joe (Carr). There is certainly isn't a plaque probably big enough or enough words to put on to demonstrate the appreciation that the Town of Chili has for you and what you have given us in your time here.

JOSEPH CARR: Thank you.

(Applause)

SUPERVISOR DUNNING: There -- there is cookies available. After the meeting we'll have those available.

JOSEPH CARR: I just want to say thank you for allowing me to work in the Town of Chili. It's been a great experience. I have met so many people. I have been able to help people and people are so thankful what my department does.

I have always had the strong support of the Board, of the people that work in the various departments throughout the Town. People like Rich Stowe and Eric Vail and Dawn Forte who are always very supportive, particularly Dianne O'Meara. I couldn't have done my job without her help and support.

I'm always amazed at the people in Public Works and Parks and the Drainage Departments and Dog Control that -- all of the various things that they're capable of doing. It's amazing the types of things that they can -- the problems they can solve.

I want to especially thank Lisa Brown, because she is so gifted in organizing our office and keeping me on track.

Again, I just want to thank you for this opportunity that I have had. I have enjoyed it and I wish all of you the very best. Thank you.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Three speakers addressed the Town Board on various subjects, and the Public Forum concluded at 7:22 p.m.

TOWN BOARD LIAISON REPORTS:

Architectural Advisory Ad Hoc Liaison Report by Dennis Schulmerich:

COUNCILMAN SCHULMERICH: Not this evening. I believe we are in a position to move a proposal forward to adopt a Town law, but we're not in a position at this point in time to advance it. We do need to have discussion about that to determine a time. I don't know if Mr. Brown has anything to add.

SUPERVISOR DUNNING: Can we hold off on that until after reports? We do have that cited for correspondence.

Conservation Board Liaison Report by Virginia Ignatowski:

COUNCILWOMAN IGNATOWSKI: They did meet since the last meeting. They expressed their concern and desire to protect wood lots in the Town. Trying to figure out what mechanism they can utilize to best do that. They reviewed the Planning Board agenda, and apparently the Hillside Crestwood Center did give them a different breakdown in cost which is more in line with what they were thinking the cost would be.

And they liked Target's landscaping plans.

And that's about it for them.

Drainage Committee Liaison Report by Councilwoman Ignatowski:

COUNCILWOMAN IGNATOWSKI: Joe Carr, of course, that was his last meeting, so we're definitely missing him. He went over the project list for the upcoming year, so that will be passed on to the personnel he has in place at this point and eventually to the new Commissioner, as well.

They did receive a new complaint that will be looked into.

And he just made a mention that leaf collection is continuing until it is complete. I know there is a number of people who are saying their leaves have not been picked up. It is just an ongoing process. They fell and then the snow came at the same time and then they -- they have had those issues to address. But it is being done, and it is just going to take as weather permits, but they will be getting that completed.

That's it.

Historic Preservation Board Liaison Report by Mary Sperr:

COUNCILWOMAN SPERR: Thank you, Supervisor. In the audience tonight we do have our newly elected Chair, nominated Chair of Historic Preservation who -- who is also now our Historian, Bonnie Moore. If you can wave, so everybody can see. They held elections at this past Monday's meeting and Bonnie (Moore) will remain as Chair and Rona Pearce will remain as Vice Chair and Secretary.

At that meeting it was reported to me through Bonnie (Moore) that they held a large discussion on their participation in the Chil-E Fest, and as the minutes come out, they will be able to share with us all their wonderful ideas they came up with.

We were -- the Board was unable to attend. I was unable to attend because the Board was doing interviews for our Highway Superintendent, but I can't remember if I did a report in December since we have had meetings -- I don't believe I did.

But I did want to mention that a plaque and dedication ceremony was held at Roberts Wesleyan College to honor Bonnie (Moore)'s husband, Carl Moore, who was at one time the Town Historian for the Town of Chili. He has written several papers and two books, and that dedication was made in his honor with a plaque and pictures presented to Bonnie (Moore) from that dedication ceremony.

Library Board Liaison Report by Michael Slattery:

COUNCILMAN SLATTERY: They meet next week. Thank you.

Parks/Recreation Advisory Board Liaison Report by David Dunning:

SUPERVISOR DUNNING: Parks and Recreation, I was unable to attend that meeting. I do have a report from -- from Mike Curley. Some of the discussion revolved -- mostly around Chil-E Fest.

Currently they discussed an idea of moving the Chil-E Fest up to the July 4th weekend, keeping it in line with the -- the country's celebration of the July 4th. They talked about car shows, entertainment and a variety of things around that. Rain dates set up and things like that

around the Chil-E Fest.

It is my understanding that there was some discussion around the newsletter, but most of it revolved around the thought process around the Chil-E Fest at this point in time.

COUNCILWOMAN IGNATOWSKI: Supervisor, do they plan on bringing back rides at all?

SUPERVISOR DUNNING: My discussions with Mike (Curley) initially would say no.

COUNCILWOMAN IGNATOWSKI: Okay.

COUNCILMAN SLATTERY: How -- do you know how they're looking to have this as a family event?

SUPERVISOR DUNNING: We have discussed a variety of different options. Um, my discussions with -- with Mike Curley around this and -- the intent is to bring it back to the -- to the Committee, to talk about the plans, the different events we can put on. The thought -- part of the thought process is also to move this to a shorter time frame and maybe make this a one or two-day event where we can condense more activities into a shorter period of time instead of trying to spread things out where there isn't a whole lot going on at, you know, throughout the weekend. But there has been just some preliminary discussion, nothing set. We have just been talking about it.

COUNCILMAN SLATTERY: I know one of the concerns I heard from last year was in regards -- there was a number of bands and so forth, but without any rides, there -- arts and crafts. The car show, you know -- but there wasn't a lot for the families. So I was just -- that was a concern that I had.

SUPERVISOR DUNNING: We are looking -- we are talking about that, too. That was something that was important, that this become more a family-oriented event, not just a certain age group or more oriented towards a certain age group of people, that we appeal this festival -- this is our festival. This is our way of showcasing Chili and presenting what Chili is and what Chili has and what Chili is all about. We would like to make this a complete family event from -- you know, as much as you can include toddlers all of the way up to our seniors. There are some other thought processes around involving the Historic Preservation Committee as well as the Chili Historical Society and adding some unique events that they haven't had before or haven't been a part of the Chil-E Fest; whereas, we can showcase the architecture, the old -- some of the older historic locations in the Town of Chili and showcase those through this festival.

So it -- so really the goal here, the intent is to make this a complete festival and a real Chil-E Festival.

COUNCILMAN SLATTERY: Good.

COUNCILWOMAN SPERR: Supervisor, if I can just add one comment. I would be interested as you further discuss this to see what the public's reaction is to the possible date change to the 4th weekend. While there might be many families looking for something to else to do that weekend, there's a lot of traditional events that are held that would cause people to not be able to participate in ours. They might want to seriously look into that, with parades and things.

SUPERVISOR DUNNING: We have taken that into consideration also. One the things with the addition, some of the changes to the new website will allow Parks and Recreation, the Building Department, Supervisor's Office to present blogs, if you will, out on the website where we can pass this information along in that respect to both get some response back and a feel for what the community thinks about this. Um, again, we're still in the discussion stages, preliminary discussion stages on this. We have committed to a time frame at the end of the month to come up with some kind of a plan.

So we hope that is fairly aggressive and we'll get the answers soon.

COUNCILMAN SCHULMERICH: For the several years I was on the Recreation Advisory Board, um, responding to the question on rides, um, one of the reasons that the dates were selected for Chil-E Fest, when they were, was because of the difficulty of scheduling the rides. So that -- that quite frankly drove the date that we had year on year, and you literally had to book at least a year in advance to have the organization here.

My suspicion would be is even if we decided unanimously within the Town to have rides, I'm not sure you can even try to do it this year because they aren't contracted, and number two, if you move it up to the July 4th time frame, I believe it would become incredibly problematic to try to find a company for that.

COUNCILMAN SLATTERY: Councilman, to piggy-back on that, the years I was liaison to Rec Advisory, the problem -- you're absolutely right was finding a ride vendor number one that would come into our market. The larger ride vendors that you see at the Monroe County Fair is one of the vendors that we had the first couple of years I was liaison, 2000, 2001.

Unfortunately, due to our market, we don't draw enough business for that ride vendor to come back. So we had to look elsewhere for ride vendors, and the number of rides, the -- the quality of rides, not from a safety standpoint, but from the entertainment standpoint was less.

So it is a very difficult market. There -- it is a peak time of year. They're in operation seven months out of the year, so they have to get the most bang for their buck. Unfortunately, with the market we have, it is tough to compete.

Planning Board Liaison Report by Dennis Schulmerich:

COUNCILMAN SCHULMERICH: Planning Board was the same night we had interviews scheduled, so I didn't get into Planning Board until the Target application was on. So I haven't had a chance to talk with Mr. Martin on the outcome of the other application, but I will report at the next meeting.

Zoning Board Liaison Report by Dennis Schulmerich:

COUNCILMAN SCHULMERICH: Zoning was canceled because there was only one application and the applicant did not have a specific need to have that application heard during the month of January.

SUPERVISOR DUNNING: Thank you.

Traffic/Safety Committee Liaison Report by Mary Sperr:

COUNCILWOMAN SPERR: Yes. The -- the business that was discussed that night, the major topic was the Target store next to Wegmans. The Committee had guests from -- Jerry Goldman and Steven Aldredge; one from FRA, and Jerry Goldman from the firm representing the developer to show us their plans and any changes they made to their original plans based on suggestions provided to them of their new traffic plans.

And one of the -- and that entire discussion was then repeated at the Planning Board meeting, and I think everyone is going to be happy to hear if you haven't heard already, they will be adding an extra lane as you pull out of the -- the Wegmans complex up to the light across from KMart, there will be an extra lane to come out and an extra traffic light. So as you pull out of the Wegmans complex, the people coming out of Tim Horton's and KMart will wait for you. So there will be two lanes where you can come out to turn left and then the people from KMart will be able to come out on their own while the people from Wegmans will sit there and wait. That should help. There is ongoing discussion about whether or not the Paul Road exit needs a stoplight, and so they are working on that, and that is coming back.

The other major item that was discussed, there was a resident on Parkway Drive, and those of you who had either seen one of our Town Board meetings or heard about this, he had complained about a car had been speeding through Parkway, and skidded across his neighbor's lawn, crashed, hit the landscaping out in front of house, the stones and ended up against his house. So that has been thoroughly discussed.

Joe Carr's staff moved the curve sign to a different location and stop -- a stop sign has been put up at an intersection just before that in hopes that would mitigate that. You can't prevent a 17-year old from speeding when he has taken his father's car and he is not supposed to be driving without a license. You can't prevent that from happening, but if we can discourage people from speeding through those intersections and help the neighborhood out -- they had kids in that house. So we'll be monitoring that.

The other traffic item I wanted to mention was a Churchville-Chili school bus was hit by a car passing on the right shoulder at the intersection of Route 259 and Chili Avenue. This intersection continues to be a hazard, and I brought it up many times. We're continuing to stay in touch with the DOT to see if there is some way they can find a better solution other than the one they presented to us. The sum of the lot seems to be a lack of funds. We'll stay on top of that.

SUPERVISOR DUNNING: Thank you.

COUNCILMAN SLATTERY: Supervisor, one thing under liaison reports, Plumbing Board, is that not there?

SUPERVISOR DUNNING: I removed that based on it has never been in there before, and I had preliminary discussions about that, but we can add that back in if it is something you need.

COUNCILMAN SLATTERY: I was --

SUPERVISOR DUNNING: It has not been a part of the agenda I have seen in the past few years. If you would like that added, if this is something that you would like me to add, I will put this back on.

COUNCILMAN SLATTERY: Since I have been on the Board, at times it was on, then it was removed. So...

SUPERVISOR DUNNING: I will -- whatever the Board decides, if they would like to have that on there.

COUNCILWOMAN SPERR: You might find since they reconvened, there might be a topic that could be beneficial for people. You could leave it on to jog your memory. Your choice. It's up to you.

SUPERVISOR DUNNING: I will put it back on.

COUNCILWOMAN SPERR: See what the members say.

SUPERVISOR DUNNING: That's fine.

MATTERS OF THE SUPERVISOR:

New Matters:

1. Supervisor Dunning has received notification from the State of NY, Office of Real Property Services that the Town of Chili has demonstrated the successful completion of an annual reassessment for the 2007 assessment roll. This is the fifth year that our municipality has received aid under this program.

SUPERVISOR DUNNING: I am in receipt of a letter from the Office of Real Property Services. I will just read a brief portion of this.

"Dear Mr. Dunning, congratulations. Your municipality has demonstrated successful completion of an annual reassessment your 2007 assessment roll. Consequently, you will be receiving \$5 per parcel in State aid. This is the fifth year your municipality has received aid under this program which is an impressive accomplishment by your municipality. By your

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successful completion of the annual assessment, the taxpayers in your community are receiving the benefits of equitable assessments that reflect current market value. Your municipality should be proud of your exemplary efforts. Thank you for achieving the highest levels of quality assessment administration."

This is just to give an idea of what this amounts to. It amounts to \$51,275. That is a great testament to our Assessor.

COUNCILMAN SLATTERY: She does a good job.

COUNCILWOMAN SPERR: Good staff down there.

COUNCILMAN SLATTERY: Even though not the most popular person.

COUNCILWOMAN IGNATOWSKI: As indicated in the newspaper, there was a front page article, if not today, it was yesterday about the problems you get into when you don't have yourself at 100 percent current assessment.

COUNCILMAN SLATTERY: Supervisor, one thing I have under Matters of the Supervisor, it's not on the agenda, but it is also -- it is an item that we received from the New York State Office of Parks, Recreation, Historic Preservation in regards to the Baker Park. And it mentioned a meeting that the Genesee Region Grants Officer would like to have with -- with the Town that was -- to occur by January 15th. I don't know if that meeting occurred.

SUPERVISOR DUNNING: No, I do not. I'm unaware of that letter.

COUNCILWOMAN IGNATOWSKI: I gave that to you in my meeting with you in the middle of December. That was one of my things I gave you, to bring to your attention at your house.

SUPERVISOR DUNNING: I'm -- I -- I don't recall.

COUNCILMAN SLATTERY: Maybe if you would follow up with Mr. Curley and --

RICHARD STOWE: Councilman Slattery, earlier today I had a conversation with Michael Curley that leads me to believe that that meeting did, in fact, occur, and the question he was asking me for future agendas he said he was going to bring to Supervisor Dunning surrounded the matching grant and the specific items that had to occur. He indicated he had talked with those folks about the next steps and was asking me about the order of things and the agreement.

SUPERVISOR DUNNING: Actually, I did get that. Mike (Curley) did send me a message in regards to the steps and the processes going through.

RICHARD STOWE: I believe that all came out of a meeting he recently had with New York State.

COUNCILMAN SLATTERY: Okay.

SUPERVISOR DUNNING: But I will follow up and verify.

COUNCILMAN SLATTERY: This is for the Baker property.

RICHARD STOWE: Correct. The matching grant.

COUNCILWOMAN SPERR: I think so.

COUNCILMAN SLATTERY: There was a number of questions I had, so.

RICHARD STOWE: I think he is working on it. I think he is going to bring it here.

COUNCILMAN SLATTERY: Okay. Just haven't heard anything.

RICHARD STOWE: That's all I have heard.

COUNCILMAN SLATTERY: Thank you. I'm all set. Thank you.

COUNCILWOMAN IGNATOWSKI: I just have one thing. I have asked about the fiberoptic last week. I know you have been out at training school. Did you have an opportunity to speak with Chris Levey?

SUPERVISOR DUNNING: I did not.

COUNCILWOMAN IGNATOWSKI: Okay.

SUPERVISOR DUNNING: Actually --

COUNCILWOMAN IGNATOWSKI: We had previous discussion on this at a December Town Board meeting, or maybe even in November it was indicated that we'll need to have a resolution surrounding this.

SUPERVISOR DUNNING: And this next session under pending matters, this is a very good point or good place for this. The intent of this is to us, keep me on track and keep us on track of any things that are out there that need to be addressed, so I put this in here so we can open things up for discussion to see where we are with these particular areas.

Pending Matters:

1. GIS Maps (Master Plan Update).

SUPERVISOR DUNNING: And I will start out with the GIS maps. Um, I have had a discussion with Chris Karelus. I have also my last correspondence with the consultant who is working on this, that we need to get -- we need to get a meeting together and some understanding of some -- where we want to go, some additional costs that may be involved with some -- some additions that they're not clear whether we want or we don't want. I need to get an understanding of what those really are and can we proceed and just produce these maps for what they have now or do these really cost something that we have to incur to get the maps to get them right.

I have to set a meeting up with Chris Karelus, Ron Brand, myself so I can get up to speed with exactly where they are. The short of it, I guess they're kind of waiting for us, or waiting for me. And I will --

COUNCILMAN SCHULMERICH: Point of understanding, if not clarification, um, I will see if the rest of the Board is where I am on this. I am not under the impression that anything new should be added to these maps. What I believe we contracted them to do is to provide us

maps that should have been in the Master Plan Update from day one with nothing updated post when those books were issued. So any zoning changes, any thoughts, any recommendations, any indications as to what we might want to do, post the issuance of those books should not be on those maps of the --

COUNCILWOMAN IGNATOWSKI: I thought that there was another decision as to make the maps current, but do you --

COUNCILMAN SCHULMERICH: If that is the case, I do not recall that being a resolution that we voted on.

COUNCILMAN SLATTERY: I would say we need to take -- the Supervisor needs to go back, take a look at the resolution. I'm in agreement, but also I think that if there is a way that if -- if we can save money now instead of having to take care of this step three months, six months, a year down the road, I'm for it. If we can just put it all together in one, but with keeping those maps -- what we had the resolution for.

SUPERVISOR DUNNING: My correspondence was with the -- with the costs or additional -- quotes for additional proposed things done, so the questions I had with the likelihood of a Comprehensive Plan Update starting soon, um, what -- what -- what implications does this have? Will these help us in this process and will they benefit us in this process and will they save us money next time so we don't have to reinvent the wheel and incorporate all of this.

So I need an understanding of that, looking forward to the comprehensive plan to understand does it fit. Does this make sense at this point in time? Once I have that understanding, I will come back to the Board with it and we'll discuss it further.

COUNCILMAN SCHULMERICH: The resolution I voted for was to enable the Master Plan Update that had been done, not the one we recently worked on, but had been done as of what I believe was the 2010 update, the maps were very confused and we all agreed to that. We all understood that.

What I believe we voted on, and what I believe we were intending on receiving was the corrected maps. I have no interest in perturbing that resolution either way to what we think the next set of maps should look like. Now if as a consequence of having spent the money to get us to the maps that should have been in that book, we prepare ourselves and we hold onto the pdf files or CAD files or whatever files they're coming in to enable us to update them for the next version of the next update, I'm fine with that.

I will not vote for, however, nor will I support perturbing what that initial resolution was so that we iterate our way through the next set of maps. We still don't know what maps should have been in that book and I want to see them.

That's my position.

COUNCILMAN SLATTERY: But you will have to vote on it.

COUNCILMAN SCHULMERICH: I will have to vote on it, but you can be sure yourself what that vote will be. I stand corrected.

2. Town Code Book Update.

SUPERVISOR DUNNING: The Town Code book update, um, this one bothers me. Having looked at what we have paid so far, we have made three installments on this book, and one is due, and they're asking for some additional funds to incorporate changes that were made by way of workshops and Town laws and things -- other things that were introduced. What -- what bothers me the most about this is we have made three installments and to my understanding that we don't have a draft or anything to look at that indicates anything at all has been put into words or published or put into -- anything that we put together with the updates that have been -- or made to this point. So we don't have -- there's been -- we paid the money but there has been no work done.

COUNCILWOMAN SPERR: Well, we have the draft portion that was utilized for the workshops. That is the last printed copy we have gotten from General Code.

At one of our previous meetings Chris Karelus was asked the question when to expect it. I got the impression, Chris (Karelus), you were in touch with General Code and had told us we would have something by mid January. So we're at mid January now, so we're all kind of wondering do we get a copy from General Code so we can provide it to the public so we can have our review period in order to have our public hearing as required. That is my understanding of where we're at.

And it was brought up in discussion at one of our meetings that there was going to be additional charges. We were told that by General Code. None of us were involved in discussions with the contract, were we? I don't remember.

COUNCILMAN SLATTERY: I was not.

COUNCILWOMAN SPERR: I don't remember having any discussions --

COUNCILMAN SCHULMERICH: There was a lot of conversation going on out of the Supervisor's Office that we were not privy to. I don't know what transpired in conversation with General Code. Maybe the side table can educate us.

I do know as a consequence of the workshop that we had, I believed that all of the changes that we had desired to have made we were aware of were provided to General Code. We were advised that we would be provided a draft copy that incorporated those changes. I didn't know, and this is a surprise to me, that those changes that we were going to incorporate as a function of the workshop were incremental charges. I thought that we would receive a draft, one draft copy from General Code publishers that included the result of the work we did through the workshops;

any copying of that document by General Code would be an incremental cost or the Town could copy it; that they were unable to provide strike-out copies that indicated the changes that were made so we would have to go through page by page, line by line, and compare the changes, which is incredible to me in today's society of Word that can do it, a simple program like this.

I mentioned this about eight months ago and I will say it again. I find it incredible we contracted with an agency that is incapable of giving us strike-out capability. I am quite frankly baffled we have to -- to pay again to get a draft copy of the work that we supposedly have been doing with them for the last year. I don't understand it. I'm baffled, as well. And I'm confused.

SUPERVISOR DUNNING: As I understand it, and please, Chris (Karelus), chime in and correct me if I am wrong, but we are not going to get a draft copy once -- if this is incorporated and we approve the additional billings as -- as noted, that we will get a final copy for review; is that correct?

CHRIS KARELUS: I became contractually involved with this within the past few weeks, so what -- when it was given to me to close out the contract with General Code, immediately I had them send me an additional scope of work and where we were in the contract. That is when General Code educated me from 2005 to 2007, the list I had given the Board with respect to the local laws through '05, local laws adopted in '07, those were additional billings not incurred under the original contract. The additional chapters that were added into the code that weren't with the previous code were also additional billings, as well as the workshop.

They're still in line with the roll-out of the code as originally planned, mid to late January. If you note the contract I left with the Board, um, authorization of the final end of that contract, the additional billings will still -- they're still processing in line with the schedule they have supplied us in December. So my understanding is still that January date we will be receiving the code.

COUNCILMAN SLATTERY: January of what year?

CHRIS KARELUS: 2008.

COUNCILMAN SCHULMERICH: What are they providing? Are they providing their understanding of a final, or are they providing us a draft?

CHRIS KARELUS: They're providing us the final that we're --

COUNCILMAN SCHULMERICH: How can we be provided the final when we haven't had a opportunity to review it with the public and have a public hearing?

CHRIS KARELUS: I'm sorry. The final draft we'll be reviewing with the public.

COUNCILMAN SCHULMERICH: And it will include all of the changes to date?

CHRIS KARELUS: To date.

COUNCILMAN SCHULMERICH: But it is a draft?

CHRIS KARELUS: Yes.

COUNCILWOMAN IGNATOWSKI: Just one copy?

CHRIS KARELUS: Yes. Note the contract I left with you, they called it out at the end, that will entail a public hearing.

COUNCILWOMAN SPERR: I have one more question if you don't mind. We have been to some training sessions, and having been to those, I have discovered that after our workshops and that was submitted to General Code, that there are some things that we are going to have to change. I am certain there will be comments from the public after our public hearing and that could also incur some changes.

So is General Code going to charge us additional monies to make those changes, in addition to what we're asked to vote on tonight?

CHRIS KARELUS: Those questions I have not posed to them.

COUNCILWOMAN SPERR: That is one of the things I would like to know.

COUNCILMAN SCHULMERICH: You can probably assume if it is not in the contract, stated as such, it would be an incremental charge based on what has been done up to date.

COUNCILMAN SLATTERY: Supervisor, has Counsel been involved at all with this?

RICHARD STOWE: No.

COUNCILMAN SLATTERY: Okay.

RICHARD STOWE: I -- this is perilous after the answer I just gave you. No, I haven't seen it. I will tell you, that we need to be cautious about what we believe the general scope of work for the code revision effort includes separate from what we would normally incur as a charge when this Board passes local laws and has them incorporated by General Code, edited by General Code and put into our Town Code book. The -- this process has been going on while the Town Board has been passing legislation. We would have without a code update effort have been incurring charges from General Code every time we passed a local law, sent it to them, asked it to be incorporated into our code.

We should not assume that that effort automatically gets rolled into a scope of work that admittedly was some months ago entered into a contract. So be cautious. I'm not defending anybody's position. I'm just making sure we're talking about what the contract called for, the fact that well into that process, the -- the scope of what they thought they were getting into morphed into something more than that. That's accurate. I believe there were some conversations. I was not involved in the conversations. But I -- but I think we need to try to make a chronological order of things and have a candid discussion with the vendor on how the charges are being substantiated so the Board can get a comfort level on what we're -- what we're seeing as charges versus what was originally anticipated and agreed to in the contract.

COUNCILMAN SCHULMERICH: I don't know how much of what has transpired is the responsibility of General Code or is the responsibility of the Town of Chili. But in my opinion, it

has been a very poorly managed project.

COUNCILMAN SLATTERY: At some point we're going to have move on. Unfortunately, Chris (Karelus) has the task now it -- it sounds like. No, Chris (Karelus). You're Rich (Stowe).

RICHARD STOWE: I was reading and heard something suspiciously like Rich (Stowe).

COUNCILMAN SCHULMERICH: Chris (Karelus), you're incredibly thorough and I appreciate the fact this got literally dumped on you in the last two weeks, and I'm glad it's in your hands quite frankly, because -- just because of your thoroughness. The degree to which you can help us understand the chronology and the path forward and what we're really walking into here in terms of what we're getting versus what we have to pay for incrementally, I know I personally would appreciate that. I know you will bring structure to it and I appreciate that.

The comments were not intended to imply in any way, shape or form what has been done on this in the last two weeks is the issue. It is the last two years.

COUNCILWOMAN IGNATOWSKI: Will that impact the resolution we have currently on our agenda, because quite frankly, they have already indicated what the additional billings are for, and it was for the outdoor furnace law and some of the other laws, the storm water laws that we have incorporated, so --

COUNCILMAN SCHULMERICH: We have to treat them fairly. I have no problem with that. It is just confounded. It -- it is not a project that has been managed in a way for us to clearly understand what we get and what we don't get.

COUNCILWOMAN IGNATOWSKI: Right.

COUNCILMAN SCHULMERICH: Thank you for bringing that up.

3. Old Town Hall Property (Benderson Proposal).

SUPERVISOR DUNNING: The old Town Hall property, the Benson proposal. Um, I called the Comptroller's Office last week to try to get an idea where we stood with the letter that was sent to them, for -- for evaluation and assistance. They didn't know what I was talking about. Um, so I did fax, got the information, did fax over another copy of that to them for review. I have been out the past couple of days and I have not gotten an answer back from their office.

Is that correct, they haven't called back?

DAWN FORTE: They called today and I e-mailed you.

SUPERVISOR DUNNING: And I haven't looked at my e-mail today. So I haven't been here all day.

COUNCILMAN SCHULMERICH: Do we have a way of knowing if the initial letter had ever been mailed?

DAWN FORTE: I mailed it personally. I know it went out in the mail because I stuck it in the mail box.

COUNCILMAN SCHULMERICH: Then we know it was mailed. No question in my mind.

SUPERVISOR DUNNING: So that is where we stand with that. We're still waiting and we need clarification to understand what is going on there.

4. Positions available with Zoning Board of Appeals (2) open and Board of Assessment Review (1) open.

SUPERVISOR DUNNING: Also I want to announce there are positions available still on the Zoning Board of Appeals. We have two positions open currently, two seats open and also on the Board of Assessment Review, we're looking for one person on that. I believe once the website is all up and running properly, the job descriptions and things like that will be available on there as well as any applications relevant to those.

COUNCILWOMAN SPERR: It looks like your article worked. We're getting some applications coming in.

COUNCILWOMAN IGNATOWSKI: Do you have a time frame when you're planning on initiating the interview process and --

SUPERVISOR DUNNING: We don't really have that many applications in hand right at the moment. I will review those with the -- and make copies of those to the Town Board. I don't know if anybody has received any I don't have, but --

COUNCILWOMAN SPERR: It would help me if we just have a list of the applications you have in to date, if Dawn (Forte) could provide that to us and then we could check.

COUNCILMAN SCHULMERICH: The only awareness we should have regarding the Zoning Board of Appeals, this is a slower time of year, which is okay, but the law states that it needs to be a majority of the Board at large, which is seven people. So you -- if all five of the people that are currently on the Board show up, four of them have to vote for an application. So we'll have put an additional burden of passage on that Board without the full staff. So recognize that we have a lot on our plate right now, but we do have a liability that we create for that Board if we go too long.

5. Architectural Review Committee

SUPERVISOR DUNNING: Architectural Review Committee?

COUNCILMAN SCHULMERICH: I looked dumbfounded when the Architectural Advisory Ad Hoc issue came up because I thought we finished that work a few months ago, but it is something that we'll follow up on.

COUNCILWOMAN IGNATOWSKI: I thought that where we were is you just needed an opportunity to review the document that was given to us by the Ad Hoc and that once you had that opportunity, we would proceed forward with the resolution.

SUPERVISOR DUNNING: Our next -- our next step, as I understand it, would be public hearings at this point; is that correct?

RICHARD STOWE: The -- the final version of the document, the local law, right, the -- the Committee gave the local law to the Board to review and comment on. If this Board has any modifications to it, however you want to handle it with the committee is fine, but ultimately, I have the local law document as it was revised.

If this Board tells me that is the form they want it in, I would prepare the local law. I would draft a resolution, get it to Dawn (Forte) for whatever agenda you wanted it on. The resolution would be to introduce the local law, schedule a public hearing, for another Town Board meeting with the proper amount of notification, conduct the public hearing at that meeting and then consider any amendments or adoption of the local law as it has been drafted. That is the procedure to follow. Right now my understanding is it rests with this Board, and once you tell me how you want it to look, that is how it will look and then we can get a resolution.

COUNCILWOMAN IGNATOWSKI: I was comfortable with the way it was written myself. I was ready to proceed forward. I thought all of us were. I thought we were giving Supervisor Dunning an opportunity, right -- am I speaking for everyone?

SUPERVISOR DUNNING: So you're waiting for me?

COUNCILWOMAN IGNATOWSKI: Yes. The long and short of it, yes.

SUPERVISOR DUNNING: Okay.

COUNCILMAN SLATTERY: Cliff notes version of what Rich (Stowe) just said.

SUPERVISOR DUNNING: I accept that. Okay.

COUNCILMAN SCHULMERICH: No. Actually, I do think you did need to hear from each of us that I'm okay. I'm fine.

SUPERVISOR DUNNING: So right now, am I of the understanding that everybody is okay with the content? Once I looked at it and reviewed it I can proceed from there?

COUNCILMAN SCHULMERICH: If once you're okay with it and you have heard from the rest of -- of us, I guess if you're in a position to give Richard Stowe (inaudible).

COUNCILWOMAN SPERR: I provided copies of that report given to us to the Historic Preservation Board because they had assisted the committee with their process -- in their process. So hopefully they're -- I haven't had a chance to ask Bonnie (Moore). I forgot if they were on board or not. I didn't get to those. We'll have that discussion.

COUNCILMAN SCHULMERICH: And for future reference, if we proceed with the Architectural Review Board, can I assume that the appointment would be to migrate from the liaison as the Advisory Ad Hoc Committee and become liaison for the Architectural Review Board? Would that be the Board's desire?

COUNCILMAN SLATTERY: It is the Supervisor's --

SUPERVISOR DUNNING: If you would like to. Absolutely.

COUNCILMAN SCHULMERICH: Dawn (Forte), that becomes the Architectural Review Board liaison if, in fact, a local law is passed and we create such a Board in the next several months, so we can leave it there as it goes to placement, but...

SUPERVISOR DUNNING: I don't want to put you on the spot as taking this liaison position, so if this is something we would like to see if somebody else wants to...

COUNCILMAN SCHULMERICH: We can leave my name there for now. I'm more than open to share the wealth with others.

SUPERVISOR DUNNING: I would also like to say if there is anything else the Board would desire to see in this spot, please let me know and I will be happy to put it in this spot to let us know we're on track and what direction we're going on and things that may be out there that I may not be aware of at this point in time.

COUNCILMAN SCHULMERICH: I had one suggestion. In light of the fact that you're willing to put pending matters and let us have this type of open dialogue, which quite frankly, I'm very thankful for, I would wonder if it would not be helpful to simply have a section, if we have any outstanding resolutions that have been tabled that need action. The only way for us to really know that is to go back through all of our meeting notes and determine whether it was tabled or not tabled. So if we have a pending matter, you may have pending outstanding resolutions that need action, it might be a memory jogger for us to see them there and update ourselves in terms of what has to happen to close them. Ideally there are none there, but there may be some.

COUNCILWOMAN SPERR: Sometimes we table something to a meeting in the future. I think Dennis (Schulmerich) makes a very good point.

COUNCILMAN SCHULMERICH: Is that difficult to track? Is that reasonable? Make sense?

SUPERVISOR DUNNING: Makes sense. Okay.

COUNCILWOMAN IGNATOWSKI: Good suggestion.

The 11/21/07 Town Board meeting minutes were approved as modified.

The 12/5/07 Town Board meeting minutes were approved as modified.

The 12/28/07 Town Board meeting minutes were approved as modified.

The 1/2/08 Town Board meeting minutes were approved as modified.

REPORTS SUBMITTED:

Community Center Revenue Report – December 2007
Recreation Center Revenue Report – December 2007
Senior Center Revenue Report – December 2007
Board of Assessment Review – Y.E. 2007 Report
Building Department – Y.E. 2007 Report
Conservation Board – Y.E. 2007 Report
Dog Control – Y.E. 2007 Report
Drainage Committee – 12/4/07, Y.E. 2007 Report
Examining Board of Plumbers – Y.E. 2007 Report
Historic Preservation Board – 11/12/07, Y.E. 2007 Report
Information Technology – Y.E. 2007 Report
Library Board – Y.E. 2007 Report
Monthly Financial Report – November 2007
Planning Board – 12/11/07, Y.E. 2007 Report
Parks & Recreation – Y.E. 2007 Report
Programs for the Aging – Y.E. 2007 Report
Recreation Advisory – 10/10/07, 11/8/07, no Dec. Mtg., Y. E. 2007 Report
Town Clerk Report – December 2007
Traffic & Safety Committee – 11/1/07, 12/6/07, Y.E. 2007 Report
Zoning Board – Y.E. 2007 Report

CORRESPONDENCE:

1. Mr. Brongo has received formal notification from The River's Edge Party House, located at 31 Paul Road, Rochester, NY 14624, that they have made application with the State Liquor Authority for liquor license renewal.
2. Mr. Brongo has received formal notification from Richard Frediani resigning from the Board of Assessment of Review.
3. Mr. Brongo has received formal notification from The Carriage house Ltd., located at 525 Paul Road, Rochester, NY 14624, that they have made application with the State Liquor Authority for liquor license renewal.

RESOLUTION # 97 RE: Agreement with Rochester-Monroe County Youth Bureau

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that Supervisor Dunning is hereby authorized to sign an agreement with the Rochester-Monroe County Youth Bureau, pending review by Counsel for the Town, to participate in Comprehensive Youth Services Planning for the year 2008 in which the Town will receive reimbursement of \$16,486.00.

UNANIMOUSLY APPROVED

RESOLUTION #98 RE: Music Licensing Agreement for Town Events

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

WHEREAS, the Director of Parks and Recreation recommends the Town of Chili enter into an agreement with The American Society of Composers, Authors & Publishers for the purpose of licensing music for public performance; and

WHEREAS, the Town regularly provides public musical performances, both live and pre-recorded, during Recreation programs, Senior Center programs, Chil-E Fest, etc.; and

WHEREAS, the Town must comply with the requirements of Federal Copyright Law, specifically at they pertain to the public performance of copyrighted works;

NOW, THEREFORE, BE IT RESOLVED that Supervisor Dunning is hereby authorized to renew the license agreement with The American Society of Composers, Authors & Publishers for a period of 12 months. The total sums due will not exceed \$294.00 to be paid from Account A7550.4 (Celebrations).

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Can you give a little background information in regards to this? Is this the existing grant we had?

SUPERVISOR DUNNING: I believe it is. It is just to be able to sign the paperwork that comes along with this. Everything is in place for this. All of the monies received allocated, as I understand it, is all in place. This is -- just authorizes me to go ahead and sign the paperwork that comes in for this.

COUNCILMAN SLATTERY: So was this the -- correct me if I am wrong, I believe it was the 300,000 with a matching? Is this the grant?

DIANNE O'MEARA: Yes.

COUNCILMAN SLATTERY: So now all of the work is complete at the site? I guess I will refer to you and you can refer to Joe (Carr).

SUPERVISOR DUNNING: Joe (Carr)?

JOSEPH CARR: What we're doing at this phase, they're doing their final review of all of our records, and they need some paperwork signed as part of that process. There is approximately \$20,000 left, and once we finish this phase, and the paperwork is signed, then we can proceed with that final, final portion.

COUNCILMAN SLATTERY: That \$20,000 that is left, is that matching, as well? Do we have to match that?

JOSEPH CARR: We -- no. That -- that is the total sum.

COUNCILMAN SLATTERY: And do we have an idea what that \$20,000 will be used for?

JOSEPH CARR: In fact, I had a meeting with Mike Curley this morning. We discussed a couple of options and things that he would like to see added. So he is reviewing that right now.

COUNCILMAN SLATTERY: Like a break wall along the Black Creek?
(Laughter.)

JOSEPH CARR: I don't think we can fit that in -- under the \$20,000.

COUNCILMAN SLATTERY: Thank you, Joe (Carr). Thank you.

RESOLUTION #99 RE: Union Station Grant paperwork

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that Supervisor David Dunning is hereby authorized to sign all necessary paperwork from the New York State Office of Parks, Recreation and Historic Preservation pertaining to the Union Station Park Project #C-569921-G2.

UNANIMOUSLY APPROVED

RESOLUTION #100 RE: ORDER SETTING PUBLIC HEARING ON THE PROPOSED EXTENSION OF THE CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE PROPERTY LOCATED AT 795 BEAHAN ROAD, ROCHESTER, NY 14624 TAX MAP NUMBER 134.19-1-10, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

WHEREAS, a written petition, dated December 28, 2007, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Chili, Monroe County, New York for the extension of the Chili Consolidated Drainage District to serve the property located at 795 Beahan Road, Rochester, NY 14624 tax map number 134.19-1-10, more particularly described in Schedule A (Property Description) on file in the Town Clerk's Office; and

WHEREAS, if the district extension is approved, the properties within the proposed extension will be eligible to receive the drainage services available to other properties within the Chili Consolidated Drainage District. No drainage improvements are proposed to be constructed within the proposed district extension by the Chili Consolidated Drainage District at this time; and

WHEREAS, as stated in the Petition, all costs relating to the formation of the district extension shall be paid by the petitioners; and

WHEREAS, except as otherwise provided above, all expenses of the Chili Consolidated Drainage District, including all extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended; and

WHEREAS, the estimated cost to the typical property, and, if different, the typical one or two family home within the Chili Consolidated Drainage District, in the first year following the formation of the district extension for debt service and operation and maintenance charges, is as

follows:

Typical Property: _____ \$0.00 _____

Typical One or Two Family Home: _____ \$0.00 _____

WHEREAS, the proposed district extension is an Unlisted Action for the purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder ("SEQRA"); and

NOW THEREFORE, it is hereby,

RESOLVED, that the Chili Town Board is hereby designated "Lead Agency" for the environmental review of this proposed action; and be it

ORDERED, that a meeting of the Town Board of the said Town of Chili shall be held at the Chili Town Hall, 3333 Chili Avenue, Town of Chili, New York on the 6th day of February, 2008, at 7:00 p.m. to consider the said Petition and to hear all persons interested in the subject thereof and for such other action on the vote of said Town Board in relation to the said Petition as may be proper or required by law; and it is further

ORDERED, that the Town Clerk of the Town of Chili is hereby authorized and directed to publish a copy of this order in the GatesChili News and post a copy of the same on the bulletin board in the Office of the Town Clerk, not less than ten (10) days, but not more than twenty (20) days, prior to the date set for said public hearing.

Upon a call of the Roll of the Members of the Town Board of the Town of Chili:

UNANIMOUSLY APPROVED

RESOLUTION #101 RE: ORDER SETTING PUBLIC HEARING ON THE PROPOSED EXTENSION OF THE CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE PROPERTY LOCATED AT 1420 SCOTTSVILLE ROAD, ROCHESTER, NY 14624 TAX MAP NUMBER 147.02-1-14, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

WHEREAS, a written petition, dated January 9, 2008, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Chili, Monroe County, New York for the extension of the Chili Consolidated Drainage District to serve the property located at 1420 Scottsville Road, Rochester, NY 14624 tax map number 147.02-1-14, more particularly described in Schedule A (Property Description) on file in the Town Clerk's Office; and

WHEREAS, if the district extension is approved, the properties within the proposed extension will be eligible to receive the drainage services available to other properties within the Chili Consolidated Drainage District. No drainage improvements are proposed to be constructed within the proposed district extension by the Chili Consolidated Drainage District at this time; and

WHEREAS, as stated in the Petition, all costs relating to the formation of the district extension shall be paid by the petitioners; and

WHEREAS, except as otherwise provided above, all expenses of the Chili Consolidated Drainage District, including all extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended; and

WHEREAS, the estimated cost to the typical property, and, if different, the typical one or two family home within the Chili Consolidated Drainage District, in the first year following the formation of the district extension for debt service and operation and maintenance charges, is as follows:

Typical Property: _____ \$0.00 _____

Typical One or Two Family Home: _____ \$0.00 _____

WHEREAS, the proposed district extension is an Unlisted Action for the purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder ("SEQRA"); and

NOW THEREFORE, it is hereby,

RESOLVED, that the Chili Town Board is hereby designated "Lead Agency" for the environmental review of this proposed action; and be it

ORDERED, that a meeting of the Town Board of the said Town of Chili shall be held at the Chili Town Hall, 3333 Chili Avenue, Town of Chili, New York on the 6th day of February, 2008, at 7:00 p.m. to consider the said Petition and to hear all persons interested in the subject thereof and for such other action on the vote of said Town Board in relation to the said Petition as may be proper or required by law; and it is further

ORDERED, that the Town Clerk of the Town of Chili is hereby authorized and directed to publish a copy of this order in the GatesChili News and post a copy of the same on the bulletin board in the Office of the Town Clerk, not less than ten (10) days, but not more than twenty (20) days, prior to the date set for said public hearing.

Upon a call of the Roll of the Members of the Town Board of the Town of Chili:

UNANIMOUSLY APPROVED

RESOLUTION #102 RE: Set Public Hearing for February 6, at 7:00 p.m. to consider the rezoning of 2075 Scottsville Road from AC (Agricultural Conservation) & FPO to P.I.D. (Planning Institutional Development) & FPO

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

WHEREAS, the Planning Board at public hearing meeting held on January 8, 2008 approved by a vote of 7-0 the requested rezoning of the site of the Hillside Crestwood Children's Center, the property located at 2075 Scottsville Road, from AC (Agricultural Conservation) & FPO to P.I.D. (Planning Institutional Development) & FPO and that the Town Board of the Town of Chili act as lead agency for the SEQR process; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby declares itself lead agency for SEQRA review purposes and directs the Town Clerk to send notification of such designation to all, if any, affected agencies; and

BE IT FURTHER RESOLVED, that a Pubic Hearing be set for February 6, 2008 at 7:00 p.m. to consider the rezoning application for the property located at 2075 Scottsville Road from AC (Agricultural Conservation) & FPO to P.I.D. (Planning Institutional Development) & FPO. The Tax Account number is 160.03-1-8. The Applicant / Owner requested the rezoning and the application fee was paid on 1/14/08.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: There was a question raised tonight in regards to two-way radios and cell phones. I think a comment with that, I know there are different municipalities who have certain types of cell phones and so forth and when the power goes out, those phones do not work. I believe the Town has Verizon, which I don't believe this would cause it if the power went out -- would not cause problems with these cell phones?

JOSEPH CARR: No, I don't think that would -- it would.

COUNCILMAN SLATTERY: I know with Nextel there was that situation.

JOSEPH CARR: Our base station -- when we lost power, we set up the portable generator and we were able to run office lights and our base station so we could communicate. But in addition to that, we do not issue cell phones to all of our employees, just the key supervisory people. So we utilize the two-way radios in all of our vehicles, and during operations, it's very important to have that communication link. I see there would still be a need for both two-way radios in vehicles and then supervisory personnel with the cell phones.

COUNCILMAN SLATTERY: And also Joe (Carr) from the standpoint of -- with the -- with the two-way radios, the Town has purchased those. We own those. So I don't know when the last time we purchased new radios.

JOSEPH CARR: The equipment that we purchased today is very high quality equipment, and we are -- rarely have a problem with it. We don't have to replace it. So I still think it is a cost-effective way to provide that necessary communication. We have looked at other systems like something that you are more familiar with at your work, but it's -- it's an expensive option that would be preferable to our operation.

COUNCILMAN SLATTERY: Joe (Carr), in regards to the two-way radios, do you have other municipalities on your radio and not just the Town of Chili?

JOSEPH CARR: There are still overlapping. Town of Webster is still on our signal. Town of Ogden -- excuse me, Riga and Wheatland. All those -- those two communities have put I will call it a block, so they can hit a switch and not hear our transmissions, only when they need

to. We're on one of the oldest bands and there are still others still on the bands.

COUNCILMAN SLATTERY: Okay. Thank you.

COUNCILMAN SCHULMERICH: I would think for purposes of Homeland Security, emergency preparedness and pandemic readiness, the ability to talk to multiple vehicles and multiple locations is -- is the -- is the real benefit in my mind that you have with radios over the ability of one-on-one conversations with cell phones. So -- so in light of what is going on in the world today, you know, not that we're going to have a snowplow running down the road when we need it, but in the event of emergency preparedness, but we might. And that ability to talk to multiple locations is a real strength.

So I understand Ms. Borgus' question. I think it was a good one, but I think from my point of view, I see if there is redundancy, I think it is cost-justified.

RESOLUTION #103 RE: Purchase of Plow Truck

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

WHEREAS, included in the approved 2008 budget is the purchase of one (1) new plow truck replacement;

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase from NYS OGS, Contract PC 62176, one (1) heavy duty International Cab and Chassis from International Truck at a cost of \$106,994.80, to be paid from the Highway Equipment Reserve Fund.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: 2003, we really go through mowers like that?

JOSEPH CARR: This mower is what I call our cul-de-sac mower unit, and these are used every day. Our cul-de-sac crew is out there every day. It is incredible the amount of territory we have to cover, and being used every day, they get worn out. And it is our decision that it is appropriate to trade up now before that unit is really -- won't bring much. That's our views.

RESOLUTION #104 RE: Disposal of Surplus Equipment

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, the following listed equipment is, in the opinion of the Superintendent of Highways/Commissioner of Public Works, obsolete and of no further use to the Town of Chili; and

WHEREAS, the Town is best served by disposing of these items for their highest value in whatever form attainable;

NOW, THEREFORE, BE IT RESOLVED, that subject to awarding of bids for new vehicles, the Town Board authorizes disposition of the following vehicles and equipment and hereby directs the Superintendent of Highways/Commissioner of Public Works to procure the highest reasonable compensation for such items and apply the process there from, if any, in accordance with Section 142(5) of the Highway Law:

#6	1999	Dodge 2500 Pickup	Spring 2008
#76	1996	Ford F-700 Medium Dump Truck	Spring 2008
#81	1993	International 6-Wheel Plow Truck	Spring 2008
#216	1990	Case Backhoe 580K	Spring 2008
#452	1990	Chevy Kodiak with Utility Body	Spring 2008
#262	2001	Dodge 2500 Pickup	Spring 2008
#103	2003	John Deere 54" Mower	Spring 2008
#174	2003	John Deere 60" Mower	Spring 2008
#410	1995	John Deere 6-Wheel Gator	Spring 2008

UNANIMOUSLY APPROVED

RESOLUTION #105 RE: Purchase of Backhoe

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

WHEREAS, included in the year 2008 Town Budget, is the replacement of a backhoe;

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase from NYS OGS, Contract PC 62727, a backhoe from JCB, Inc. (Lift Tech on Paul Road), at a cost of \$71,005.24

to be paid from account #DA 5130.2 (Machinery – Equipment).

UNANIMOUSLY APPROVED

RESOLUTION #106 RE: Purchase of Two Mowers

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

WHEREAS, included in the year 2008 Town Budget, is the replacement of one Parks Dept. Mower and one Highway Dept. Mower, and

WHEREAS, the Town obtained written quotes from three local companies for the mowers as follows:

Saxby (Kobata) w/blade & bagger	\$13,250.00
Messinger (Ventrac) w/blade	\$11,700.00
Ontrac (John Deere) w/blade & bagger	\$11,054.51

NOW, THEREFORE, BE IT RESOLVED, to purchase one mower unit with 62” deck and front plow blade from Ontrac at a cost of \$9,959.28 for the Parks Department to be paid from the General Fleet Reserve Fund, and one mower unit with 62” deck and bagger unit from Ontrac at a cost of \$9,998.43 for the Highway Department to be paid from account #DA 5140.2 (Brush and Weeds).

UNANIMOUSLY APPROVED

RESOLUTION #107 RE: Purchase of John Deer Gator

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

WHEREAS, the Town intends to replace the 1995 John Deere Gator, presently being used by the Department of Public Works, as identified within the approved Year 2008 budget;

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase of one (1) John Deere Gator (Item #2) under NYS OGS Bids, at a cost of \$7,368.33 to be paid from Acct. #SD 8540.2 (Consolidated Drainage – Equipment).

UNANIMOUSLY APPROVED

RESOLUTION #108 RE: Purchase of Pickup Trucks

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

WHEREAS, included in the year 2008 Town Budget, is the replacement of two pickup trucks;

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase one 2-wheel drive pickup truck for the Parks Dept. Under NYS OGS Bids PC 62882, Item #13, from Fairport Ford at a cost of \$16,992.50 to be paid from the General Fleet Reserve Fund, and one 4-wheel drive pickup truck for the Highway Dept., under NYS OGS Bids PC 62882, Item #14, from Van Bortel Ford at a cost of \$19,567.00 to be paid from Account #DA 5130.2 (Machinery – Equipment).

UNANIMOUSLY APPROVED

RESOLUTION #109 RE: Purchase of Leaf Truck

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

WHEREAS, included in the year 2008 Town Budget, is the replacement of one 16’ leaf truck;

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase one Model 4300 International Truck with a 16’ box under NYS OGS Bids Contract PC 62176 from International Truck & Engine Corp. At a cost of \$66,752.01 to be paid from Account #A 8160.2 (Refuse & Garbage – Equipment).

UNANIMOUSLY APPROVED

RESOLUTION #110 RE: Purchase of Drainage Maintenance Truck

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

WHEREAS, included in the year 2008 Town Budget, is the replacement of one truck for drainage maintenance;

NOW, THEREFORE, BE IT RESOLVED, to purchase one (1) Model 4400 International Truck with 10' dump body, under NYS OGS Contract PC 62176 from International Truck and Engine Corp. At a cost of \$77,221.66 to be paid \$38,721.66 from Account #A 8540.2 (Town Drainage – Equipment) and \$38,500.00 from Account #SD 8540.2 (Consolidated Drainage – Equipment).

UNANIMOUSLY APPROVED

RESOLUTION #111 RE: Letter of Credit Release Union Station, Section 6 Release No. 5

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that per recommendation of the Town Engineer, \$15,727.70 be released from the letter of credit with M&T Bank (SB-908636-2000) for Union Station, Section 6, leaving a balance of \$32,103.31; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

RESOLUTION #112 RE: Letter of Credit Release Union Station, Section 7 Release No. 3

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich

BE IT RESOLVED that per recommendation of the Town Engineer, \$14,228.98 be released from the letter of credit with M&T Bank (SB-910177-2000) for Union Station, Section 7, leaving a balance of \$62,899.11; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: If we -- this resolution were to not pass tonight, are we going to hold ourselves up from getting that final draft copy from General Code? We are. So.

COUNCILMAN SCHULMERICH: Based on the conversation I heard earlier, as suggested by our Counsel.

RICHARD STOWE: Including the part I haven't really looked at it. Go ahead.

COUNCILMAN SCHULMERICH: With the qualifier he hasn't really looked at it, it sounds like the charges that are coming our way are appropriate based on Town legislation anyway, so whether we had a new code book or only one, we're bellying up to the table and paying this 2641 unless it is a font size issue or something.

RICHARD STOWE: Can I only ask for some corroboration from our Town Clerk with regard to historical charges when we have passed legislation and they have added to the code book. That's been an ongoing piece of our relationship with General Code, and it's been an annual expenditure when we have had local law activity. I know that part is true. I cannot speak to how much that generally costs, what we usually pay for those sorts of things and whether those are usual. I just don't know.

RICHARD BRONGO: I'm going to guess somewhere around 350 to \$400, I think, we paid, and it might be more than that, because I don't really remember, but I know they update the code book and then they had to send us so many revisions of the copies of the code books we had out there and there was a fee associated with that. I could be off by several hundred dollars, but if I'm off, the fee is higher than what I am quoting.

RICHARD BRONGO: And we did have five local laws this year which we needed to incorporate.

RICHARD STOWE: Two of which we're saying they're willing to do at no additional charge.

RICHARD BRONGO: Well, they have the charge in there already.

RICHARD STOWE: Well, perhaps. I don't know.

COUNCILMAN SLATTERY: Is this a book or a series?

RICHARD STOWE: I'm done.

COUNCILWOMAN SPERR: I guess the only other comment I would like to make is we're changing the format of our book. Those you of who have seen our code book, it's a very small -- fine. Thank you, Rich (Stowe). Rich (Stowe) can hold it up. We're moving from this format (indicating) to this format (indicating) so when we do that, will our charges change? Will they be less, because it is easier to create this document and the changes -- that is something I

would like know. Chris (Karelus), if you don't mind investigating for me, I would like to know if the cost of those changes would be higher or lower or no difference.

COUNCILMAN SLATTERY: Will it be on CD?

RICHARD BRONGO: Yes. Well, at least one copy can be on CD so we can load it up.

COUNCILWOMAN SPERR: So we can download it for the internet.

RICHARD BRONGO: For the internet.

COUNCILMAN SCHULMERICH: Is there a way for us to easily and/or readily confirm that this 2641 is, in fact, what we typically would have been charged? Or is there inflation to be incorporated? Is there a way for us to tell that? Is there a way for us to --

RICHARD STOWE: Now?

COUNCILMAN SCHULMERICH: Not at this moment, no.

RICHARD BRONGO: We can look up to see what we paid for our cost for local law updates in the past. That information Di (O'Meara) has on her database, so we should be able to pull that information up to give us a feel for what we have paid for updating the one local law.

COUNCILMAN SCHULMERICH: For over two years, I guess I would like to know what we're spending. What's appropriate to spend. I don't have a problem tabling this for a couple weeks.

COUNCILWOMAN IGNATOWSKI: Other than it holds the book up again.

COUNCILMAN SCHULMERICH: Like I say, it has been two years. I would like to know what we're paying is justified. Unless -- I mean -- well, that is my position.

COUNCILWOMAN IGNATOWSKI: Well, we had five new local laws, plus they're saying the revisions because of our workshops. Um, so that is quite a number of revisions that you're looking at. It sounds to me if we were looking at the \$400 for one local law, to me this sounds like it -- this is definitely within --

COUNCILWOMAN SPERR: It's a possibility if we investigate this too much the price would actually go up. That is my biggest fear. Maybe we ought to cut our losses and get this done. I don't know. That is my gut feeling. I know I shouldn't make decisions based on my gut feeling, but at this point in time, that is what it looks like to me. It also says there's a final 25 percent of the contract price to be invoiced upon completion. So we also know there is at least an additional 25 percent out there that they could bill us for, so if we disagree with something we have got here, we have some wiggle room in this.

Is that enough to satisfy you that maybe we should move forward on that and we have another 25 percent out there if we're not in favor of we can -- we're going to pay it at a later date.

SUPERVISOR DUNNING: One thing that concerns me when I looked at the total, we had -- we made three payments to General Code so far. All three payments, each payment was \$2,461.25. We owe them. This is the last installment of the initial contract total cost.

RICHARD BRONGO: No, it's not.

SUPERVISOR DUNNING: No? No?

RICHARD BRONGO: This is an additional amount --

SUPERVISOR DUNNING: I'm saying we have paid -- we have made three payments of the four payments we were supposed to make on the original contract. We still have one payment to make, correct?

COUNCILWOMAN SPERR: That is the 25 percent.

SUPERVISOR DUNNING: That's the \$2,461.25. Correct? Now, that is the entire book. That is the entire code book.

The amount that we're being asked for now is \$0.25 shy of one quarter of the entire book for these changes. I guess I don't completely understand it myself.

COUNCILWOMAN SPERR: Well, they attended all of the workshop meetings that we held.

COUNCILWOMAN IGNATOWSKI: There were a lot of changes.

COUNCILMAN SLATTERY: There were a lot of changes and incorporation of that time what we adopted to the code, new chapters, you have three new chapters in the book. Um, personally, I'm -- I'm ready to proceed in -- to vote for this. Um, I -- Town Clerk said that he can go back and check what we paid previously from the modifications, but as mentioned, there are five of them, and mentioned \$400, \$500 a piece, in that ball park. So...

COUNCILWOMAN SPERR: So if two were at no charge, that is why I am getting the gut feeling we should just go ahead with this.

COUNCILMAN SLATTERY: Right.

COUNCILMAN SCHULMERICH: So if General Code publishers is watching Channel 12 as we speak, I would very much like you to figure out how to incorporate strike-out capability into your documentation, because looking at 700 pages line by line to compare what has changed from one version to another is insane.

Thank you.

COUNCILMAN SLATTERY: And I agree.

COUNCILWOMAN SPERR: They changed the chapters so you can't go side by side. That was a lot of the work.

SUPERVISOR DUNNING: Any other comments?

COUNCILMAN SCHULMERICH: A lot, but not pertinent.

(Laughter.)

RESOLUTION # 113 RE: Authorization of additional Funds to General Code Publishers

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Slattery

WHEREAS, the Town Board by resolution entered into an agreement with General Code Publishers, of Rochester, New York, to prepare and deliver a recodified and reformatted "Code of the Town of Chili"; and

WHEREAS, the initial scope of the project has changed since February 2005, when we first entered into an agreement with General Code Publishers;

NOW, THEREFORE, BE IT RESOLVED, that per the recommendation of Christopher Karelus, Building Department Manager, General Code Publishers, of Rochester, New York, be paid an additional amount of \$2,641.00 to cover their costs for additional services requested by the Town for the completion of the a recodified and reformatted "Code of the Town of Chili".

3 YES TO 2 NO (Councilman Schulmerich, Supervisor Dunning)

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: Is this different than what we had the previous agenda?

COUNCILWOMAN SPERR: Yes. I actually went on line and looked up the Finger Lakes Building -- this group and the building officials conference, and there are some fantastic topics on their agenda. I think it would be very worthwhile. My only concern would be who is going to cover the Building Department while you guys are all gone at the same time.

CHRIS KARELUS: The beautiful thing about this conference is it's an educational credit we need for the year as well in addition to being a fantastic conference.

COUNCILMAN SLATTERY: Ginny (Ignatowski)'s question was, is this the same, or is this different than the resolution we passed last time?

COUNCILWOMAN IGNATOWSKI: The same kind of training? I know you had a bunch of training in the last resolution.

CHRIS KARELUS: That was State codes. This is for certification, 24-hour certification that we need each year.

COUNCILMAN SLATTERY: Does that other training go towards your certification?

CHRIS KARELUS: That will be -- that's schooling to get the certification. This is once the certification is received, each year it is required to have continuing education in the form of credits.

COUNCILMAN SLATTERY: Thank you.

RESOLUTION #114 RE: Authorization of attendance to Finger Lakes Building Officials Conference

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilman Slattery

BE IT RESOLVED that Chris Karelus, Bldg. Department Manager; Edward Shero, Building & Plumbing Inspector; and Patrick Sheridan, Assistant Building and Plumbing Inspector be authorized to attend the 33rd Annual Educational Conference to be held at the RIT Inn & Conference Center on March 17-20, 2008 at a cost of \$390.00 per person.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I'm very pleased that we are maintaining our Chair and Vice Chair. They're a fantastic team.

SUPERVISOR DUNNING: I could only echo that.

RESOLUTION #115 RE: Historic Preservation Board

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that Bonnie Moore be appointed Chairperson to the Historic Preservation Board and shall be paid at the rate of \$35 per meeting attended for the calendar year 2008; expenses to be submitted by Voucher as incurred; and

BE IT FURTHER RESOLVED, that Rona Pearce be appointed as Vice Chairperson and Secretary of the Historic Preservation Board, and shall be paid at the rate of \$35 per meeting for the calendar year 2008; expenses to be submitted by Voucher as incurred.

UNANIMOUSLY APPROVED

RESOLUTION #116 RE: Use of Incentive Zoning Funds - 2008

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

WHEREAS, December 28, 2007 Resolution 346 accepted the Incentive Zoning Agreement with the University of Rochester; and

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

NOW, THEREFORE, BE IT RESOLVED, incentive zoning funds received in 2008 shall be transferred to the Highway Building Improvement Reserve.

UNANIMOUSLY APPROVED

RESOLUTION #117 RE: January 16, 2008 Abstract

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to pay vouchers 1-161 totaling \$ 306,243.51 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

General Fund	\$195,195.61
Highway Fund	\$ 63,492.77
Library Fund	\$ 708.75
Clifton Fire Protection District	\$ 1,870.50
Chili Fire Protection District	\$ 19,575.00
Scottsville Fire Protection District	\$ 23,667.50
Special Light Districts	\$ 1,733.38
TOTAL	\$306,243.51

4 YES TO 1 NO (Councilman Slattery)

SUPERVISOR DUNNING: I move we go into Executive Session to discuss a personnel matter.

COUNCILMAN SCHULMERICH: I would second that.

SUPERVISOR DUNNING: All in favor?

The Board was all in favor of the motion to go into Executive Session.

SUPERVISOR DUNNING: No more business will be conducted by the Town Board. We'll come back to adjourn the meeting.

The Board went into Executive Session at 8:27 p.m.

The Board returned from Executive Session at 9:02 p.m.

The next meeting of the Chili Town Board is scheduled for Wednesday, February 6, 2008 at 7:00 p.m. at the Chili Town Hall meeting room.

The meeting ended at 9:02 p.m.