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CHILI TOWN BOARD

October 6, 2004

A meeting of the Chili Town Board was held on October 6, 2004 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 Logel.

PRESENT: Councilwoman Ignatowski, Councilman Slattery, Councilwoman Sperr and Supervisor Logel. (Councilman Powers was excused.)

ALSO PRESENT: Richard Brongo, Town Clerk/Deputy Supervisor; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor; Joseph Lu, Town Engineer; Joseph Carr, Commissioner of Public Works/Superintendent of Highways; Dianne O'Meara, Comptroller.

The invocation was given by David Votaw, Parkminster Presbyterian Church.

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

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Seven speakers addressed the Town Board on various subjects, and the Public Forum concluded at 7:50 p.m.

Supervisor Logel and the Board presented a plaque to J. Donald Faso for his years of dedicated service to the Town of Chili.

Supervisor Logel stated in the '70s, Don Faso started with the Drainage Committee. Councilman Faso stated it was '73. Supervisor Logel stated the plaque is to honor Don Faso for his distinguished dedicated service to the Town of Chili for his work on the Planning Board starting in 1983. Supervisor Logel stated the plaque reads, "Presented by the Town of Chili to J. Donald Faso in recognition of his distinguished and dedicated service to the Town of Chili. 1983, appointed to the Planning Board; 1984, Vice Chair, Planning Board; 1985 to 1995, Chairman of the Planning Board; 1995 to 1999, Town Councilman; 2000 to 2003, Deputy Town Supervisor; and 2003 to 2004, Chairman of the Planning Board."

Supervisor Logel thanked Don Faso for all his dedication. Councilman Faso stated it's not really a job when you love to do it, and he loved to do it. He stated that is why he was in it for so long. He stated he got a real sense of satisfaction in serving the Town and serving the people of this Town. He stated he had a great bunch of people to work with over the years and it was really enjoyable. He stated no man is an island. He stated he had a great Planning Board. He stated they got along great, they made some great decisions for this Town, and it was really fun to watch this Town grow and prosper over the years. He stated he is really honored to have been a part of it.

Supervisor Logel stated the Town Clerk, Richard J. Brongo, has presented the Tentative budget for the year 2005 to the Town Board Members as per Town Law Section 106 (3) on October 1, 2004.

TOWN BOARD COMMITTEE REPORTS/REPORTS BY COUNCIL MEMBERS:

**Community Service Committee - James Powers, Michael Slattery
Recreation Advisory Committee**

Councilman Slattery indicated Recreation has not met this month.

**Educational Committee - Virginia Ignatowski, Mary Sperr
Library Board of Trustees
Historical Preservation Board**

Councilwoman Ignatowski stated the Friends of the Library are going to be doing a

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donate-your-car promotion, kind of like the kidney car. She stated the only thing they have to require is that the car has to run because they won't be able to pick them up. She stated they will have 50 percent of the proceeds go to the Library.

Councilwoman Ignatowski stated if anybody gets the Chili Post, they will see there will now be coffee in the Library. She stated that is going to start in the middle of this month, and Leaf and Bean is who they're working with. She stated it is kind of an exciting proposal that they're going to be doing. She stated no taxpayer money is going into this.

Councilwoman Ignatowski stated they are going to be raising the interlibrary fee to \$5. She stated this was a request from the MCLS, the Monroe County Library System. She stated the MCLS had to reduce their staff in interlibrary. She stated this is not Gates to Chili or that. She stated she was talking about outside the county transfers, they had to really reduce their staff and they requested the towns to raise the fee on it to try and reduce the number of requests. She stated so they complied with that request.

Councilwoman Ignatowski stated the Chili Library is once again going to do the Food for Fines. She stated they did this last year. She stated if someone has a fine, if they bring in like a can good to donate to a food cupboard, they will take the fine off. She stated it was successful last year, so they're doing it again this year.

Supervisor Logel asked on the donate a car, were there any more details on it. Councilwoman Ignatowski stated they're still working it all out. She stated they don't have everything finalized yet on that.

Supervisor Logel asked has the Historic Preservation Board met. Councilwoman Sperr stated the Historic Preservation Board received an application from the Town Historian proposing the Chili Cobblestone Schoolhouse be designated as a historic landmark in the Town. She stated having received that, the Historic Preservation Board met a week ago Sunday and toured the Cobblestone Schoolhouse themselves to take a look at the property to see what condition it was in. She stated at their next meeting they will discuss the move whether or not to have that be voted into the district, and that a presentation would then be put together and presented to the Town Board at a future date.

Councilwoman Sperr stated they also had a great discussion on utilizing the Town of Chili's website to put a newsletter type format in place under their area of the website, and they are going to come back with ideas at their next meeting of different issues or things that can be put in newsletter format, which she found to be quite interesting.

Environmental Services Committee - Virginia Ignatowski, Michael Slattery **Conservation Board** **Drainage Committee**

Councilwoman Ignatowski stated as mentioned at the workshop session, the Conservation Board is going to be adding a new item to their check list, their application check list to indicate trees that are bigger than 12 inches and those that are going to be taken down. She stated they want to have that designated, as well. Councilwoman Ignatowski stated beyond that, they pretty much went over their Planning Board agenda items, discussing those.

Councilwoman Ignatowski stated they also are looking at some way of better communication conveying to the Building Department things that are coming into them that are not on the Planning Board that need to get back to the developer. She stated say someone comes in with a landscaping plan that is no longer on the Planning Board agenda but had to meet their requirements. She stated they need to have some way of getting that communication back to the department, so they are looking to facilitate that.

Councilman Slattery stated Drainage had their meeting this week, and there are a number of issues that the Highway Department has been able to complete, even with all of the rain and the wetlands they have had out there. He stated one thing that Joe Carr and his department is

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working on is about three to four miles of concrete channel throughout the Town that is used to carry drainage throughout the Town in certain areas. He stated they're in the process of cleaning them in regards to the amount of debris that is flushed onto them with all of the rain.

Councilman Slattery stated they're also looking at some problems that they have had in the past years, and recently, in working with outside organizations and with other towns, trying to correct some of these situations. He stated they went through a number of projects that they have completed and that they're working on.

Councilman Slattery stated one thing they wanted to stress, when people build sheds, at times they're not required to get a permit. He stated and as far as building these sheds, sometimes they obstruct the flow that is coming through the property. He stated maybe they'll put in a little swale or so forth. He stated they don't realize the impact that it is going to have on their neighbors. Councilman Slattery stated the Drainage Committee last night was discussing how to better get that information out there.

Supervisor Logel stated maybe they can do a newsletter or something that they can work on. Supervisor Logel stated because she has experienced a neighbor who no longer is her neighbor but filled in a swale with dirt and all kinds of garden in it, so the swale is no longer there.

Supervisor Logel stated she was contacted by a resident of the Sequoia Drive area and was informed that the drainage from the school does not slant correctly out to that concrete ditch that they are always hearing about, and that that is causing some of the ponding of water. She stated some of it might be a school runoff problem, from their air-conditioning units and things this summer, contributing to the mosquito breeding area. She stated she contacted the School and asked that they look into this but she has not heard back. Supervisor Logel asked Joe Carr to follow up on that.

Public Safety Committee - James Powers, Mary Sperr
Traffic Safety Committee

Councilwoman Sperr stated the Traffic Safety Committee has not met since the last meeting and they meet next week.

MATTERS OF THE SUPERVISOR:

Supervisor Logel stated in regards to comments made by Mr. Johnson during the public forum, anybody can say anything they want, just as he had the right to come in and say anything he wanted publicly. She stated they are all given the freedom to speak. Supervisor Logel stated never once has she ever told anybody they can ride a bike that breaks the law.

Supervisor Logel stated she saw the police report that Mr. Johnson was referring to where she was supposedly quoted. She stated she talked to the Sheriff about it, and those words have never come out of her mouth. She stated they have an issue of enforcement, and the Sheriff's Department has no way of monitoring noise levels. She stated the law that was written that was being referred to is a noise ordinance law. She stated the Sheriff's Department has the reports, but each time they have said the noise level was no more than the Thruway when they came out there. She stated that is what they told her.

Supervisor Logel stated she did call a couple of people from the petition because she wanted to know exactly what they're hearing. She stated that is how she found out. She stated she made a couple random phone calls. She stated she was curious number one, why someone near her would sign a petition when they're miles away. She stated that was interesting because that individual said they just signed it because someone asked them to.

Supervisor Logel stated then there was a gentleman in North Chili who signed it, but he thought it was going to solve the boom box problem that is up in the Meadowbrook Farms area. She stated another individual told her they signed it just to support somebody else, but all they ever hear is a little hum, like a bee. She stated they said it sounds more like a buzz saw.

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Supervisor Logel stated then she contacted someone who was not on the petition, someone she happens to know who lives on Hosmer Road who actually lives two doors from one of the signatures on the petition. She stated this individual has been an acquaintance for years, used to work at the airport, someone she trusted. Supervisor Logel stated her and her husband said quite frankly that golf course equipment was much, much louder than anything they ever heard, and that anything they ever heard was a buzz.

Supervisor Logel stated so at this point in the game, she thought that she was totally justified in calling any names that are on that list. She stated everybody can call and ask.

Supervisor Logel stated as far as the Riga residents, she decided to call the one Riga resident because they do live in Riga and she wanted to talk to her. She stated she asked the Riga Supervisor. She stated she also called him to see if he had any complaints about this and he had not heard anything from any of these people.

Supervisor Logel stated the Sheriff's Department and they are all looking into the situation of the riding of the bikes out there. She stated she has made two phone calls and asked that they please never ride more than one or two out there. She stated she has asked them please to comply, and they have an appointment or are working to set up a meeting with them to discuss with the Sheriff's Office and her office the matter.

Supervisor Logel stated people can hire attorneys and sue the Town. She stated she did not know what they would sue her for. Supervisor Logel stated as far as standing in the middle of the road and arresting them, she doesn't have that power.

Supervisor Logel stated if they're breaking the law, then the Sheriff's Department enforces the law. Supervisor Logel stated she even went so far as to talk to Sheriff Patrick O'Flynn about this, because she knows him very well. She stated she happens to know that he also rides bikes on the weekends because he is very into this sport, too. She stated she wanted to ask him exactly if he was familiar with this situation in this area.

Supervisor Logel stated she really wanted to investigate this thoroughly and find out. Supervisor Logel stated she did not tell these people they could ride. Supervisor Logel stated they have not been given any permission. Supervisor Logel stated she does not have the right as Supervisor to give permission to break laws.

Councilwoman Sperr stated she thought they didn't have permission to ride at all. Supervisor Logel stated there is a controversy on that. Councilwoman Sperr stated she thought there was some kind of court proceedings. Richard Stowe indicated he could not speak to that, but Keith O'Toole could.

Supervisor Logel stated she has talked to Mr. O'Toole quite a bit on this. Supervisor Logel stated he said there is some real problem with the law, how to enforce it. Councilwoman Sperr stated they do have a zoning code on the books that it is inherent upon the Building Department to enforce, so if they need to look into this, if there is something to be enforced on that issue to make sure they are not going to incur future attorney fees, that would be good because the Town has already paid to have handled over the last three years court cases with the riders prior to Supervisor Logel coming into office.

Supervisor Logel stated she did not pass this law nor was she involved. Councilwoman Sperr stated but it is on the Town books and they swore an oath to uphold it. Supervisor Logel stated it is one of the things they really need to look at, and if it is not enforceable, then they need to make it or modify it so it is enforceable.

Supervisor Logel stated on Resolution 305, that matter was sent to the Town by the Albany Senate Committee asking them to put this in. Supervisor Logel stated they are going to lose a lot of revenue if they take this. She stated this is nothing to do with waiving or going to a lower fine. She stated she was struggling with the words.

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Richard Stowe responded plea bargain. Supervisor Logel stated that was the word she couldn't find. Supervisor Logel stated this has nothing to do with plea bargaining. Supervisor Logel stated this has to do with the fact that they intend to take a huge chunk of revenue that is going to cost every town a lot of money for running their court system. Supervisor Logel stated this is something that the Assembly has already rescinded or has voted to rescind, and they are asking the Senate to do that next month when they meet.

Supervisor Logel stated on Resolution 309, no question on that one.

Supervisor Logel stated as far as the part-time substitutes and receptionists, they had over a hundred applications. Supervisor Logel stated there is a tremendous amount of people out there looking for work. She stated there was a large response to a very simple add. She stated what they immediately did was just narrow it down to Chili residents, because it is her belief that if at all possible, they should hire Chili residents. She stated so they narrowed it down to Chili residents and ended up with 40. She stated from that 40, they narrowed it down to 12 excellent people and they interviewed the 12. Supervisor Logel stated they had some very good people that they are adding to their list.

Supervisor Logel stated there was not a public hearing on September 29th. She stated it was a workshop, strictly to be a workshop for the Board. She stated it was to inform them what is going on. She stated she thought they were very well informed on where they stand at this point, and the situation is continuing to be worked on.

Supervisor Logel stated regarding FOIL, for different departments, she was not sure what was being referred to, but all Freedom of Information requests should come through the Town Clerk's Office, as she understands it. Richard Brongo stated that is the way it has been set up. Supervisor Logel stated all Freedom of Information requests will go through the Town Clerk's Office, not through a department head.

Supervisor Logel stated there was a reference tonight that the different departments should be addressed on how to handle FOILS. She stated everybody just needs to go to the Town Clerk's Office for that. She stated it is not department heads. She stated they shouldn't be going to department heads asking for information.

Supervisor Logel stated in reference to Mrs. Bowen saying that she stopped counting trees at 110, she knows exactly where Mrs. Bowen lives and there were 11 trees behind her house. Supervisor Logel stated they had the pictometry at the workshop that was done in the fall. She stated every tree trunk is highly visible with a magnifying glass. She stated there is absolutely no way to make an error. She stated 11 trees were removed by Mrs. Bowen's. Supervisor Logel welcomed anyone to come to her office and bring a magnifying glass to look at the pictometry. She stated the numbers are solid numbers.

Supervisor Logel stated the only variation would be possibly on a green ash, which can have a double trunk. Supervisor Logel stated for a double trunk, because they can't see all of the way to the ground, it could be counted as two trees, so they allowed for that.

Supervisor Logel stated everybody is talking about the lost trees. She stated they are working on this. She stated this is why they have attorneys.

Supervisor Logel asked Joseph Carr to address the dog census, because she was under the impression that that started way back in the early summer, while Mrs. Wood was on sick leave or out for surgery. She asked didn't it start before that, just before that, because she had foot surgery. Joseph Carr stated that was correct. He stated but he thought more importantly, the dog census is supposed to be done on an annual basis, and they have always employed the services of citizens to do it at times when they can travel around, knock on all of the doors and gain as much information as they can. He stated it has never been done by the Dog Control Officer. He stated he did not know of any other Town that does it that way. He stated the Dog Control Officer has plenty to do. He stated the procedure for doing a census is as they have been doing it, and as they

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have always done it.

Supervisor Logel asked how are they paid. She stated Mrs. Borgus, the one who asked all these questions, was not in the room to hear the answers. Joseph Carr stated there is a set fee they're paid. Supervisor Logel asked per dog. Joseph Carr stated it is per dog that they find.

The 9/1/04 Town Board meeting minutes were approved.

REPORTS SUBMITTED:

Zoning Board of Appeals- August 24, 2004

Traffic and Safety Committee- August 5, 2004

Chili Historic Preservation Board- June 14, 2004

Chili Public Library Board of Trustees- August 31, 2004

CORRESPONDENCE:

1. Letter Dated September 15, 2004 from County Executive Maggie Brooks, notifying Supervisor Logel that the Town of Chili was awarded \$20,000 from Monroe County's CDBG program for the Union Street sidewalk and drainage project.

RESOLUTION #300 RE: Shift of Operation into Empire Zone

Offered by: Councilman Slattery

Seconded by: Councilwoman Sperr

WHEREAS, SERVPRO of N.W. Monroe County deals with restoration due to water and fire damages and is located at 271 Paul Road, Rochester, New York 14624, doing business in Chili from 1996 to present; and

WHEREAS, the Company employed ten full-time people and two part-time people in 2004, including two residents of the Town of Chili, several others within close proximity, and several in the City of Rochester; and

WHEREAS, SERVPRO of N. W. Monroe County has been conducting business out of 271 Paul Road in the Town of Chili since 1996 and the applicant owns this facility which consists of approximately 2700 sq. ft. and They also rent additional storage space consisting of 2500 sq. ft. located at 1000 Howard Road (Easy Storage) and have 2 storage trailers on site since 1996, SERVPRO of N.W. Monroe County has hired eight additional full-time employees and two part-time employees requiring a need for a larger, more permanent, and centrally located place of business. Having a central location in the City of Rochester will give their employees as well as customers a more convenient place to work and conduct business. It will also provide easier access for individuals on both the East Side and West Side of Rochester. While spending considerable time looking for a local location which met their needs, including the possibility of construction within the Empire Zone in Chili, they found a facility within the City of Rochester, Empire Zone which would meet their needs. Their new location offers them the additional space needed to consolidate its operations as well as additional space for future growth. The new facility is a more appropriate setting for employees and customers. Part of their business requires the storage of furniture retrieved from water and fire damaged homes until final restoration of the property has been complete. It would benefit them greatly to have this material in one central location where they can better control its safety. The new facility will have approximately 7000 sq. ft.

WHEREAS, the Chili Town Board has heard public comments that extraordinary circumstances existed to warrant the relocation of the Company in to the City of Rochester Empire Zone at a public hearing held on October 6, 2004 at Chili Town Hall, located at 3333 Chili Avenue, Rochester, New York 14624; and

WHEREAS, the Applicant/Owners, have paid the requested fees for the filing of the public hearing with the Monroe County Clerk's Office.

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NOW, THEREFORE, BE IT RESOLVED that the Town of Chili consents to the relocation of the Company from the Town of Chili to the City of Rochester Empire Zone.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #301 RE: Extension of Consolidated Drainage District

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

BE IT RESOLVED that the Consolidated Drainage District be extended to include the Beaver Creek Subdivision located at 15 Beaver Road, Churchville, NY 14428. Tax ID#s 159.020-01-001.000. The required fee has been paid.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #302 RE: Extension of Consolidated Drainage District

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

BE IT RESOLVED that the Consolidated Drainage District be extended to include the Whalen-Gunher Subdivision located at 112 Morgan Road, Scottsville, NY, 14546. Tax ID#s 173.030-01-005.000. The required fee has been paid.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #303 RE: Extension of Consolidated Drainage District

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

BE IT RESOLVED that the Consolidated Drainage District be extended to include Westside Gardens located at 4365 Buffalo Road, N. Chili, NY 14514. Tax ID #132.17-01-02. The required fee has been paid.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #304 RE: Extension of Consolidated Drainage District

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

BE IT RESOLVED that the Consolidated Drainage District be extended to include 2914 Chili Avenue, Rochester, NY 14624 and 140 Fenton Road, Rochester, NY 14624. Tax ID #s 133.19-02-67.1 and 133.19-02-67.2. The required fee has been paid.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #305 RE: Supporting State Restoration of Traffic Fine Revenue

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

WHEREAS, Vehicle and Traffic Law, Section 1803 governs the disposition of fines and penalties collected in connection with convictions pursuant to the Vehicle and Traffic Law; and

WHEREAS, Chapter 56 of the Laws of 2004, effective August 20, 2004, changed the distribution of the fines taking them away from municipalities and placing them in the State

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Treasury; and

WHEREAS, this change in the fine and penalties distribution formula will result in a loss to local taxpayers of more than \$20 million in fine monies - monies which have historically been used to fund justice court operations; and

WHEREAS, the Town of Chili will likely lose \$85,225 in anticipated fine revenues; and

WHEREAS, this State Budget provision with cuts immediate effective date will result in significant 2004 deficits and will negatively impact town property tax rates for 2005;

NOW, THEREFORE, BE IT RESOLVED that the Town of Chili calls for the restoration of the original fine distribution formula in order to provide towns with necessary revenues to fund justice court operations;

AND BE IT FURTHER RESOLVED that the Town of Chili urges the passage of legislation introduced by Senator Bonacic (S.7757), the Assembly version (A.11845 introduced by Assemblyman Aubertine) of which passed Assembly 09/20/2004, which amends the Vehicle and Traffic Law to restore this source of revenue to local governments;

AND BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor George E. Pataki; Joseph L. Bruno, Majority Leader of the Senate; Sheldon Silver, Speaker of the Assembly; Senator Elizabeth Little, Chair of the Local Government Committee; Assemblyman Robert Sweeney, Chair of the Local Government Committee; Senator Owen Johnson, Chair of the Finance Committee; Assemblyman Herman D. Farrell Jr., Chair of the Ways and Means Committee; Senator John A. DeFrancisco, Chair of Judiciary Committee; Assemblywoman Helen E. Weinstein, Chair Judiciary Committee; and local representatives.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #306 RE: Regional Local Government Work Shops

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Slattery

BE IT RESOLVED that Supervisor Tracy Logel is authorized to attend three sessions of the Regional Local Government Workshop in Mount Morris to be held Friday November 19, 2004 at a cost of \$40 for registration, plus mileage and expenses.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #307 RE: Authorization of Multi-Modal 3 Program Aid for Union Street Intersection Improvement

Offered by: Councilwoman Sperr

Seconded by: Councilwoman Ignatowski

WHEREAS, a Project for the Union Street Intersection Improvement, P.I.N. S4000 is eligible for funding [under Title 23 U.S. Code, as amended, and] New York State's Multi-Modal 3 Program administered by the NYS Department of Transportation ("NYSDOT"); and

WHEREAS, the Town of Chili desires to advance the project by making a commitment of advance funding of the non-local share and funding of the full local share of the costs of the Project; and

NOW, THEREFORE, the Town Board of the Town of Chili duly convened does hereby

RESOLVE, that the Town Board hereby approves the above-subject project; and it is hereby

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further

RESOLVED, that the Town Board of the Town of Chili hereby authorizes the Comptroller of Town of Chili to pay in the first instance 100% of the federal and non-federal share of the cost of all work for the Project or portions thereof; and it is further

RESOLVED, that the sum of four hundred thousand dollars (\$400,000.00) is hereby appropriated from the General Fund and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, the project is estimated to cost approximately \$825,000 and the Rochester Cornerstone Group, developer of Union Square Subdivision, will under an agreement with the Town of Chili, pay all project costs over and above the \$400,000 amount of the Multi-Modal grant, and it is further

RESOLVED, that the Supervisor of the Town of Chili be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Multi-Modal 3 Program Funding on behalf of the Town of Chili with NYSDOT in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and all Project costs that are not so eligible, and it is further

RESOLVED, that a Certified Copy of this Resolution will be filed with the Commissioner of Transportation of the State of New York by attaching it to any required and/or appropriate Agreements executed in connection with the project between the Town of Chili and the State of New York; and it is further

RESOLVED, that this Resolution shall take effect immediately.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #308 RE: Transfer of Funds

Offered by: Councilman Slattery

Seconded by: Councilwoman Sperr

BE IT RESOLVED to transfer \$30,000 from DA5142.499 (Snow Removal-Miscellaneous) to DA5110.1 (General Repairs-Personnel).

APPROVED BY A VOTE OF 4 YES

RESOLUTION #309 RE: Authorization of Attendance at Training Conference

Offered by: Councilwoman Ignatowski

Seconded by: Councilwoman Sperr

BE IT RESOLVED that per the recommendation of Daniel J. Kress, Director of Planning, Zoning and Development, Dennis Scibetta, Kathy Reed, Sherry Thrash and Daniel Kress are hereby authorized to attend the one-day customer service seminar, to be given by the Padgett-Thompson /Performance Research Associates Inc., to be held in Rochester, New York, on November 17, 2004; total expenses for all are not to exceed \$600.

APPROVED BY A VOTE OF 4 YES

RESOLUTION # 310 RE: Change Street Name from Union Square Blvd. to Linnea Lane

Offered by: Councilwoman Sperr

Seconded by: Councilwoman Ignatowski

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WHEREAS, a section of Town highway between Attridge Road and Cornflower Drive is presently named Union Square Blvd, and

WHEREAS, based upon the review of complaints received, the Chili Traffic and Safety Committee has recommended the name of this section of Union Square Blvd. be changed to Linnea Lane.

NOW, THEREFORE, BE IT RESOLVED to change the name of the section of Town highway between Attridge Road and Cornflower Drive, from Union Square Blvd. to Linnea Lane, and the Town Clerk is directed to notify the appropriate agencies of this name change.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #311 RE: Letter of Credit Release for Parklands Phase 1 (Release 3)

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that per recommendation of the Town Engineer, \$31,450.51 be released from the letter of credit with Canandaigua National Bank (#1101093870) for Parklands Phase 1, subject to engineering fees and street light billing, leaving a balance of \$0.00.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #312 RE: Letter of Credit Release for Parklands Phase 2 (Release 3)

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that per recommendation of the Town Engineer, \$9,149.04 be released from the letter of credit with Canandaigua National Bank (#1101354703) for Parklands Phase 2, subject to engineering fees and street light billing, leaving a balance of \$8,050.00.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #313 RE: Letter of Credit Release for Bellaqua Estates Phase 1 (Release 1)

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that per recommendation of the Town Engineer, \$101,347.15 be released from the letter of credit with 1st Niagara Bank (#428143) for Bellaqua Estates Phase 1, subject to engineering fees and street light billing, leaving a balance of \$588,769.65.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #314 RE: Letter of Credit Release for Black Creek Woods Section 3 (Release 1)

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that per recommendation of the Town Engineer, \$9,315.00 be released from the letter of credit with M & T Bank (#SB-905336-2000) for Black Creek Woods Section 3, subject to engineering fees and street light billing, leaving a balance of \$151,938.20.

APPROVED BY A VOTE OF 4 YES

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RESOLUTION #315 RE: Clerk IV Part-Time (Receptionist)

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED that Suzanne Camarata and Mary Lander shall be appointed as Clerk IV, Part-time and paid an hourly rate of \$8.70 effective October 12, 2004 not to exceed 20 hours per week.

APPROVED BY A VOTE OF 4 YES

RESOLUTION #316 RE: Clerk IV Part-Time (Substitutes)

Offered by: Councilwoman Sperr

Seconded by: Councilman Slattery

BE IT RESOLVED that the following individuals be added to the substitute part-time Clerk Typists/Switchboard Operators for the year 2004, and shall be paid at the rate of \$7.63 per hour effective October 12, 2004; expenses to be paid by voucher as incurred.

Barbara Glossy
Cynthia Fisher
Karen Kemp

Marie Bresler
Patricia Thomas
Susan Mannix

APPROVED BY A VOTE OF 4 YES

RESOLUTION #317 RE: 10/6/04 Abstract

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

BE IT RESOLVED to pay vouchers 4939-5266 totaling \$93,975.87 to be paid from the Distribution Account as audited by Dianne O'Meara, Comptroller:

General Fund	\$69,403.82
Highway Fund	\$21,542.92
Consolidated Drainage	\$ 1,399.43
Chili Fire Protection District	\$ 358.31
Hynes Tract Water District	\$ 22.46
S Chili Water Benefit #1	\$ 1,223.93
Senior Center Fundraiser	\$ 25.00

TOTAL ABSTRACT \$93,975.87

APPROVED BY A VOTE OF 4 YES

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on October 6, 2004 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:06 p.m. regarding shift of operation into an Empire Zone for SERVPRO of N. W. Monroe County located at 271 Paul Road, Rochester, New York 14624.

Attendance as previously noted in the 10/6/04 Chili Town Board meeting minutes.

No one was present to represent SERVPRO.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

CHILI TOWN BOARD MEETING - October 6, 2004

Dorothy Borgus - 31 Stuart Road

Ms. Borgus stated if she understood this correctly, this public hearing and the resulting resolution is necessary for this company to keep certain tax advantages in moving to the City from Chili. Richard Brongo stated he has been dealing with them. He stated they have not found a suitable location within the Town of Chili. He stated they have looked, and consequently, they did find suitable facilities in the City that happened to be in an Empire Zone, so yes, they will get the break moving into an Empire Zone, and that is why they're moving.

Ms. Borgus asked did they have tax break status in Chili. Richard Brongo stated that he was not aware of. Ms. Borgus stated it is hard to believe in this Town with the amount of commercial property that they have already developed, that they couldn't have kept this company here. She stated they have an Economic Development Committee and they are supposed to be encouraging people to come and to stay, not to come, grow and leave. She stated she was really finding it difficult to think that they could not have accommodated them somehow in view of the empty commercial space they have in Chili. She stated she was just wondering how hard they are working at this.

Jerry Brixner - 14 Hartom Road

Mr. Brixner asked does SERVPRO stand for a designation, and what area does it entail. He stated obviously it should be along Paul Road. He stated that would be over in the eastern part of their Town.

Supervisor Logel stated SERVPRO is on the other end of Paul Road over by the airport. Supervisor Logel stated SERVPRO is the name of a company. She stated to the best of her knowledge, that is not an acronym.

Mr. Brixner asked if the Empire Zone then is apparently south of Paul Road, probably from Fisher Road, how far would they go. Supervisor Logel stated this company is moving into an Empire Zone. She stated it is not in an Empire Zone now. Mr. Brixner asked if it is moving into the Empire Zone. Supervisor Logel stated the Empire Zone is in the City.

Supervisor Logel stated about a month ago there was a newspaper article written about the County Legislature supposing to entertain several pieces of property in Monroe County that were being added to the Empire Zone. She stated that has all been put on hold tentatively until some issues can be solved in Albany. She stated this company wanted to go into a larger facility. She stated they needed a larger facility, one that could not be found in the Town of Chili. She stated some were too large for them. Supervisor Logel stated and they wanted the Empire Zone status. She stated that is the reason for their move.

The Public Hearing was closed at 7:10 p.m.

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on October 6, 2004 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:10 p.m. to consider extension of Chili Consolidated Drainage District to include the Beaver Creek Subdivision at 15 Beaver Road, Churchville, NY 14428.

Attendance as previously noted in the 10/6/04 Chili Town Board meeting minutes.

No one was present to represent the Beaver Creek Subdivision.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:11 p.m.

PUBLIC HEARING

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CHILI TOWN BOARD MEETING - October 6, 2004

A Public Hearing was held by the Chili Town Board on October 6, 2004 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:11 p.m. to consider extension of Chili Consolidated Drainage District to include the Whalen-Gunher Subdivision located at 112 Morgan Road, Scottsville, NY 14546.

Attendance as previously noted in the 10/6/04 Chili Town Board meeting minutes.

No one was present to represent the Whalen-Gunher Subdivision.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:11 p.m.

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on October 6, 2004 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:12 p.m. to consider extension of Chili Consolidated Drainage District to include the Westside Gardens located at 4365 Buffalo Road, N. Chili, NY 14514.

Attendance as previously noted in the 10/6/04 Chili Town Board meeting minutes.

No one was present to represent the Westside Gardens.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:12 p.m.

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on October 6, 2004 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:12 p.m. to consider extension of Chili Consolidated Drainage District to include 2914 Chili Avenue, Rochester, NY 14624 and 140 Fenton Road, Rochester, NY 14624.

Attendance as previously noted in the 10/6/04 Chili Town Board meeting minutes.

No one was present to represent the properties located at 2914 Chili Avenue and 140 Fenton Road.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:13 p.m.

Supervisor Logel stated due to fact that the flu shot vaccine is no longer available in a large supply, the Senior Center has had to cancel the flu shot clinic. She stated they have asked that they notify as many people as possible because 140 people had signed up at the Senior Center. She stated they're going to try to get a hold of everybody and let them know, but it is a serious problem this year.

Supervisor Logel stated the comment from the Director of Adult Health and Communications is saying to everybody to make sure this winter, without flu shots, people spend their time washing their hands and being very, very, very meticulous about doing that so that they hope they won't have the flu be as serious a problem.

CHILI TOWN BOARD MEETING - October 6, 2004

The next meeting of the Chili Town Board is scheduled for Wednesday, October 20, 2004 at 7:00 p.m. at the Chili Town Hall meeting room.

The meeting ended at 8:23 p.m.