

**CHILI TOWN BOARD**  
**August 11, 2004**

A meeting of the Chili Town Board was held on August 11, 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:** Councilman Powers, Councilwoman Ignatowski, Councilman Slattery, Councilwoman Sperr and Supervisor Logel.

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

The invocation was given by Richard Brongo.

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

Supervisor Logel and the Town Board presented a trophy to the Wheatland-Chili Section V Class D 2004 Swim Team Champions and Varsity Coach Bob Owens, JV Coach Fred Plimpton.

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 7:45 p.m.

**TOWN BOARD COMMITTEE REPORTS/REPORTS BY COUNCIL MEMBERS:**

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

Councilman Slattery stated Michael Curley, their new Recreation Director, was officially at his first Rec Advisory meeting, and he went over his goals and objectives, what he would like to see with the Recreation Advisory Committee.

Councilman Slattery stated Jeff Myers is resigning from his position due to a conflict with work. He stated they do have one opening, and possibly two openings coming up on the Recreation Advisory Committee.

Councilman Slattery stated Mr. Curley went over with the Board the Chil-E Fest rides, the event, the parade and fireworks and so forth. He stated it was his first major event with the Town, and he learned quite a bit. Councilman Slattery stated Mr. Curley is bringing his expertise in to look at some things, and the possibility of the event next year.

Councilman Slattery stated the Corn & Sausage and Family Fun Day are going to be combined. He stated the scheduled date for the Corn & Sausage Roast was postponed and they will be combining it with the Family Fun Day, which will take place sometime in October.

Councilman Slattery stated the adult softball field at Davis Number 1 has been a problem this year with the rain and so forth. He stated Recreation is talking to Parks in regards to solving that problem.

Councilman Slattery stated they have had a couple of people that have been unable to attend the Recreation meetings, so they have been short a few people for the meetings. He stated they addressed the need for more people on that committee to fill the vacancies.

Supervisor Logel stated she submitted her column today with a request for people to apply.

Councilman Slattery stated they discussed the dunking booth and the success for the dunking booth at this year's Chil-E Fest.

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Councilman Powers stated going back to the fact that they are short a couple of members on the Recreation Advisory Committee, he thought probably as in other committees serving the Town, that absenteeism is becoming a problem. He stated they asked Mike Curley to do some research on it to see whether or not there were some rules and regulations governing some of these committees. Councilman Powers stated he checked with Maureen in the Town Clerk's Office also, and the only Board with attendance rules was the Historical Preservation Board. He stated he would like to see the Chairman or a member of a committee may be granted up to three absences from meetings, provided that the Chairman of the committee approves such, but if there is a fourth, that that member be removed and that seat be filled with somebody that might decide to attend some meetings. Councilman Powers stated he would also like to see these committees do their own screening in appointments, rather than the Town Board.

Supervisor Logel stated she would like to see the committees recruit some very good hard workers. She stated that is the key. Councilman Powers stated he thought the Chairman and the committee need to do their own interviewing and appointments, or make suggestions to the Town Board. Supervisor Logel stated that is something they will have to discuss, but she would like to see them be out at least recruiting from the community, because people involved in recreation know the people that have the interest in recreation. She stated she wrote an article going in all three papers today, locally, saying there are openings on committees and boards, and that they need to have people come in and apply, but that they need active people who are willing to attend meetings, and in the case of recreation, that they are willing to work on things like the Breakfast with Santa Claus, the Easter Egg Hunt, the Breakfast with the Easter Bunny, that sort of thing. Supervisor Logel stated she thought if people understand what is required and what the responsibilities are for going on a committee, they will have a lot more volunteers coming forward.

Councilman Powers stated he would probably put together something regarding attendance and would bring it back to this Board.

Councilwoman Sperr stated there is no attendance problem with Historic Preservation. Supervisor Logel stated that is the Board that has the rules.

Councilman Slattery stated as far as the Recreation Advisory Committee, the time commitment, it is quite a bit that they're involved with. He stated not only do they attend the one meeting a month, and they do get a small stipend to attend the meeting, but then they are also involved with the number of activities throughout the year dealing with the recreation programs such as the Haunted Hayride, Breakfast with Santa, the Easter Bunny, the Chil-E Fest. He stated it is very satisfying to be involved with it, but there is a time commitment there.

Supervisor Logel stated she thought with recreation, if people enjoy working with children or young adults, that is what makes that rewarding, and a little bit more fun. She stated she has attended the Easter Bunny Breakfast and the Easter Egg Hunt and felt that it is worth while, and it is fun to be there, even as adults. She stated she would just encourage everybody that would like to get involved, to please stop by the front desk and pick up applications, and if they have a resume, they would be welcome to drop it off. She stated they don't need resumes for volunteers for committees. She stated they certainly don't need to be that elaborate.

Councilman Powers asked when the signs on the outfield fence in Field 5 will be removed. Supervisor Logel stated she has not discussed with anybody when they're going to be removed. Joseph Carr stated the signs will be removed at the end of August.

Councilman Powers asked is there any chance that they could change that sign that sits down on Chili Scottsville Road, at that piece of property that the Town owns, and possibly say Chili Town Park rather than the Old Baker Property. Supervisor Logel stated now it will remain labeled the Baker Property or whatever sign is on it for the moment. She stated she did not think they will be going out and making a lot of new signs.

Councilman Powers asked if they have a member in the Parks Department that has been covering

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for the dog warden. Joseph Carr stated since Linda has not been available to them, he is the prime contact. He stated he carries the pager. He stated if there are issues, people can contact him through his office during the day or after hours through his pager. He stated when assistance is needed, and it is something where he is not available, he has been utilizing employees in the Parks Department to handle that duty.

Councilman Powers asked if that is one particular member of the Parks Department. Joseph Carr stated that was correct. Councilman Powers asked should he not be named as a Deputy Dog Warden or Assistant Dog Warden if he is performing that function. He asked on a weekend if he is bitten by a dog or whatnot, where do they stand as a Town as far as insurance or lawsuit or whatever.

Supervisor Logel asked who is responding on the weekend. Joseph Carr stated on occasion he has responded. He stated when the other person is available, which is most of the time, he receives a call and he contacts him, and he responds. He stated it has not been a large number of responses, but he has been doing it. Joe Carr stated that person is an employee of the Town. He stated all their employees are covered by their health insurance program.

Councilman Powers asked has that person been taking the dog vehicle home. Joseph Carr stated yes, he has. He stated since Linda has not been available, he asked him to do that so he has the vehicle handy. He stated there are times when they have to go to a scene as quickly as they can to meet maybe a Deputy Sheriff or some other situation. Joe Carr stated it was in his opinion best that he have that vehicle handy, so he has been doing that.

Councilman Powers asked if that person responds to calls on a weekend, is he paid the same hourly rate that he is as a park employee. Joseph Carr stated on the weekend, that would be an overtime situation. Councilman Powers stated the reason he brought it up, his concern is if something were to happen to this fellow and he hasn't been assigned to that position by the Town Board, where does everybody stand on it.

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

Councilwoman Sperr stated she and Councilwoman Ignatowski drove out to the Webster Public Library this past month for their Library Board meeting to tour their library. She stated it is an interesting set-up, beautifully done. She stated it is across from the Hegedorns in what used to be an Ames Department store, and they have redone this entire location into a public library with tones of sage green, purple and gray, very nicely done. She stated they went on the tour to get some ideas as to how they could enhance their library, and problem-solving and different things. She stated it was very interesting, and the people out there are to be commended for their facility.

Councilwoman Ignatowski stated the Webster Library also said their summer programs are really doing great with several hundred children going.

Councilwoman Ignatowski stated they also wanted to send a special thank you to Joe Carr and the Towns people that came and brought the Town trucks. She stated that was a huge hit. She stated they wanted to extend their appreciation for that.

Supervisor Logel stated Historic Preservation hasn't met. Councilwoman Sperr stated they take the two months off in the summer, but they will meet again in September.

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

Councilwoman Ignatowski stated the Conservation Board discussed the Tim Horton's project regarding their landscaping approval up in North Chili. Supervisor Logel asked if they are done with the landscaping plans for the Tim Horton's in Chili Center. Councilwoman Ignatowski stated

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that has been done. Supervisor Logel stated she was trying to figure out which one they're building first. Councilwoman Ignatowski stated she thought the one by K Mart will be done first.

Councilwoman Ignatowski stated as far as the open space index, Pat Tindale is working on the general open space, and Bill Steimer is about halfway done with the ag inventory. She stated the Conservation Board just had some comments about the Planning Board agenda. Councilwoman Ignatowski stated there is going to be an opening on their board. She stated they will be receiving a resignation from a member, again due to a conflict with work.

Councilman Slattery stated as far as the Drainage Committee, as Mrs. Lyle mentioned, Pure Waters and he have been in contact with each other and they will be out there on Friday morning, televising the storm system in the area, on Paul Road. Supervisor Logel asked what they mean by televising. Councilman Slattery stated basically what they do is run a TV camera down the storm system. He stated it will videotape the pipe and they will check on the condition of it. He stated they will look at a number of different things that are associated with the pipe, with the existing structures, to make sure that things are structurally sound and so forth, and then they will be working with Joe Carr, if there are any problems out there.

Councilman Slattery stated there were a number of people at the Drainage Committee meeting recently, and unfortunately, the Chair of the Committee, Leo Carroll was not there. Councilman Slattery stated Mr. Brixner made a comment in regards to him speaking up at the committee. He stated for a little history, he was the former Chair. Councilman Slattery stated he was a former member, former Chair of the Drainage Committee, and has been involved with that committee and has been the liaison for the past four and a half years. Councilman Slattery stated due to the fact that Leo Carroll wasn't present and they had some new members on there, he was just trying to help out with the committee and so forth, just to offer them a little support. He stated it was not his intention to run that committee by any means. He stated he is there as the liaison to just assist them in any way. He stated when a committee has newer people, sometimes they're not quite sure of different issues pertaining to the drainage. He stated he apologizes to Mr. Rettig and Ms. Lyle, in attendance at that meeting and tonight's meeting, if he did speak too much.

Councilman Slattery stated comment was also made in regards to the child that was bitten by the mosquitoes a number of times. He stated individuals in a certain area had been having a drainage problem for a while, and as of recently, they just contacted the Town, so there are going to be some people going out to look at that issue, and hopefully to address it.

Councilman Slattery stated he had a few questions in regards to the pond that was talked about at Union Station. He stated he was just made aware of this pond on Monday. He asked from the standpoint that he believes there wasn't a pond proposed in the beginning with that subdivision, and now there is a change, who is requesting the change to install a pond on that property. Supervisor Logel stated she could defer to Joseph Carr to explain what the history is because as she understands it, it is DEC that is saying they have to do it.

Joseph Carr stated the Board has heard him refer to the new Phase II Storm Water Regulations. He stated they're federal regulations. He stated they became effective in March of 2003. He stated as it pertains to this subdivision there, recently the developer and plans went through the Planning Board process and they had a public hearing on the approval of Section 5 of Union Station.

Joseph Carr stated when the engineers began to design the final detailing for Section 5, they reminded them that they had to talk to the DEC to clarify whether this subdivision or specifically Section 5 would be grandfathered under these regulations or not. He stated the decision, as he best knows it, was made in April of 2004, and that decision was that this project would not be grandfathered, that it had to be in compliance with those Phase II Storm Regulations, and based on field meetings between representatives of the New York State DEC, who are responsible for the administration of the federal rules, and the developer's engineer, it was determined that the storm water management pond had to be implemented, and the final plans were then developed around that information.

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Councilman Slattery asked what is the purpose of the pond. Joseph Carr stated under this Phase II Storm Regulations, all storm water discharges must meet the criteria of the conditions of the Clean Water Act. He stated the purpose of this pond is simply to be a filtering pond, as opposed to a retention/detention pond. He stated it is a filtering pond. He stated the discharge from this area is a direct discharge from Black Creek. Joseph Carr stated all development now must have to implement a catch point where the silts and whatnot can filter out, be trapped. He stated the purpose being to try to clean up the water, any discharge of water before it goes to a water body. He stated that is really the purpose of it.

Councilwoman Ignatowski stated they do not expect a lot of water to be inside that pond. She stated it is not retention or detention. Joseph Carr stated that was correct. He stated it is not retention or detention. He stated it is simply a small holding cell as a settling basin.

Supervisor Logel asked what is in that spot now. Joseph Carr stated where the pond is intended to be constructed is Town-owned land. He stated it is a part of the 67-acre parcel that was donated to the Town back before 1990 when the original plan was put together for the Union Station Subdivision. He stated why specifically the pond is going to be put in that location is that it is the location of two storm drainage pipes that discharge into that area, and then there is a main channel that conveys the storm water directly to Black Creek. He stated so they have the storm drainage pipes that are discharging to that point, a big ditch there. He stated the pond will be put in at the junction point of those two pipe discharges, so that they're captured, they go through the settling point and then it is a direct discharge to Black Creek.

Joseph Carr stated the land is owned by the Town of Chili. Supervisor Logel stated she had looked at an old map and it showed it is currently a drainage ditch. Joseph Carr stated that was correct. Supervisor Logel stated there is currently a drainage ditch running through that area, and so this just takes it from being an elongated area, and makes it more of a circular drainage area. Joseph Carr stated the way it is structured now and the way it was installed, the pipe discharges into a ditch, a channel that flows directly to the creek. He stated they need to implement this collection point obviously in that location to capture the discharge, of course, and then direct it on down the channel to where it goes now.

Councilman Powers asked if this ditch that they are speaking of, is that the tree line that is south of the soccer fields that runs east and west. Joseph Carr stated it's not in that area at all. He stated it is well away from that location. He stated he did not know who would be aware of where the sanitary sewer pumping station is, which is at the direct end, east end of Union Station Boulevard. He stated this point is directly behind or east of that pumping station site.

Councilman Powers asked if it will come back to the water that comes under Union Street and goes down that channel around and over to the creek there where the parking lot is. Joseph Carr stated that is a different drainage system. Councilman Powers stated the reason he was asking, he was just wondering if they couldn't get the water from those pipes that they speak of, put some stone in that ditch and use that as a filtering system or a cleansing system rather than digging ponds and chopping wood down and all that stuff.

Joseph Carr stated in order to meet the regulations, they have to have a certain detention time to settle out the materials and control it. He stated they can't do that efficiently without having a holding basin. Councilman Powers asked the fact that they have a matching grant with the State on that property back there, is the State well aware of what they are going to be doing, or what is going on back there. Joseph Carr stated the State DEC is well aware of it. Councilman Powers stated he did not mean the State DEC. Joseph Carr stated the Parks Office is not aware of that. He stated that area on the master plan for the park improvements was not intended to be improved for park use. He stated it is essentially a drainage ditch.

Councilwoman Sperr stated she was told today that in one particular day, this all happened, in one day, that a lot of equipment showed up and these trees were cut down and it was bulldozed. She stated she had wondered who had done that work. She asked was that something that the builder did. She asked was it someone from Ryan, or was it Howarth, or was it the Town, or the DEC.

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Joseph Carr stated this did not occur in one day's time. Councilwoman Sperr stated she was just told that. Joseph Carr stated there have been a series of meetings, as the Board knows, that he has had with some of the citizens that are here tonight. Joseph Carr stated the developer of the subdivision is Jim Howarth of Earthborn Development. He stated he has hired a site contractor to do the site development work, and that site contractor hired a subcontractor who does the tree and brush removal. Joseph Carr stated there were several days after the initial conversation began to the day that the trees were actually removed, and it was well after the site survey and the identification of property lines and property corners was established.

Councilman Slattery asked the runoff, where is the runoff coming from that would be going into this pond. Joseph Carr stated just to clarify, Mr. Powers was referring to the main drainage ditch that flows under Union Street, and between Block Island Road and Union Station Boulevard, the main channel, which then curves to the north and is a direct discharge into Black Creek. He stated the drainage pipes that they are referring to cover the street drainage for most of Union Station Boulevard, Trestle Trail, most of the portion of Rio Grande Drive. He stated so it's the street drainage and the front yard drainage and some backyard drainage of these developed areas.

Councilman Slattery asked is it from the surrounding area. Joseph Carr stated it is. Councilman Slattery stated that is the majority of it. Councilman Slattery asked what size pipes are they. Joseph Carr stated they are fairly large in diameter. He stated he would have to check the field drawings.

Councilman Slattery asked when is the pond scheduled to go in. Joseph Carr stated he thought they have done some minimal work, but grading work is proposed to start within a few days.

Councilman Slattery stated he did not know if it would be too late for a public information meeting with some of the residents due to the concerns that were brought up. He stated he did not know if it would be beneficial to have the engineer that drew up the plans for this, the developer's engineer, to attend a public information meeting to allow the residents an opportunity to come in to meet with the engineer, and possibly somebody from the DEC to discuss this.

Councilman Slattery stated he thought the Town is sort of caught in a position here, where it is unfortunate that this has to take place now, when the original plans did not show this. He stated he thought their hands are somewhat tied, if he was hearing correctly, that they are being told by the DEC this needs to be done. He stated he thought to help calm and answer some of the questions from the community, information should be given to them so that they know what is going on. He stated as he mentioned, he learned about this on Monday. Supervisor Logel stated she learned Saturday.

Supervisor Logel asked is a public information meeting feasible, is there time. She asked can the DEC and Mr. Howarth, the developer, hold off long enough for an information meeting for everybody to meet with the residents in that area and explain what the options are. She asked if it is possible to arrange something very quickly with the developer, and would the DEC be willing to come in so they can tell what they legally have to do, if there are any alternatives, if there is a different way to do it, or if they are stuck with this and this is what they have to do.

Joseph Carr stated he certainly thought it is feasible. He stated the ultimate decision as to whether this needed to be accomplished or not was at the DEC level. He stated subject to their time restraints, he was certain that they would make time to meet with them. He stated he was quite certain that the developer and his engineer would make time to review it again. Joseph Carr stated they can certainly ask to have a meeting established here in the Town, and a DEC person could be available.

Supervisor Logel stated she thought it would answer all of their questions, and they would know exactly what the rules and regs are. She stated at this level they can't override State government, so what they need to do is hear this out. She stated she did not know how fast they can set a public information meeting up. She asked was there going to be anything in the meeting room on the 16th. Richard Brongo stated he did not believe so.

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Supervisor Logel stated they would like to get it set up for Monday night if possible. Richard Brongo stated he thought what they need is enough time to mail out a notice to the residents. He stated they would need a day or two to set up the meeting, sometime for the letter to go out. He stated he did not think they can do it as quickly as Monday.

The Town Board recognized Michael Bowen, in the audience, as he previously discussed this matter during public forum on behalf of the area residents.

Mr. Bowen stated he thought one of the biggest things with respect to the pond isn't so much a fight with the DEC. He stated he does not think anybody wants to fight that, and that is probably not a fight anyone in the room can win. Mr. Bowen stated there is a serious lack of information about this pond.

Mr. Bowen stated today Joe Carr said it wasn't going to have water in it. He stated according to the meetings minutes from the Town Planning Board, Mr. Kim (phonetic) said it is going to be a retention pond with average depth of 4 to 5 feet. He stated so there is a lack of information and they are getting conflicting information, so it would be good to sit down and first gain a good understanding of what it is that is going in, and that is what they need to do.

Councilman Slattery stated that is why a public information meeting would be good. He stated if the Town looks at the availability of the meeting room and so forth, the Town could mail out something to the neighbors in that area. He stated he thought that would be beneficial.

Supervisor Logel stated this has raised a lot of questions that need to be addressed. Supervisor Logel stated they would not recognize anyone else from the audience to speak on this tonight, otherwise they would lose control of their meeting and their whole purpose. She stated Mr. Bowen signed up during the public forum.

Supervisor Logel stated everyone was welcome to make comments at the public information meeting on this when they have it. Supervisor Logel asked Joe Carr and Dick Brongo to set up something as quickly as possible when this room is available, just schedule it and send them a letter. Richard Brongo stated they probably need 48 hours to get a letter out. Supervisor Logel asked if they could do that so everybody is on the same page and they all know what they are talking about.

Councilman Powers asked Joe Carr if any of the storm water from Park Place feeds down through Union Station. Joseph Carr stated no, it doesn't. He stated the Park Place Subdivision has its own retention pond and discharge to Black Creek. He stated so that really is a separate sub drainage area.

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

Councilman Powers stated the Traffic Safety Committee had a visitor from Emerald Point who has the same problem, the same situation almost that they had over in Gilead. Councilman Powers stated they spent quite a bit of time on that area.

Councilman Powers stated they did again review the latest Fallone submission, the latest plans for 741 Paul Road.

Councilwoman Sperr stated the only other thing she could add was Wegmans did make a presentation last night at the Planning Board for a different driveway and that was approved by the Planning Board. She stated they will seek other approvals from the Town of Gates and the County, but it was also approved. She stated it should be an improvement for them.

### **MATTERS OF THE SUPERVISOR:**

Supervisor Logel stated as far as the windows at the Community Center and grants, at least the



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grants she has always been familiar with are written specifically for a very specific thing, and generally, they can't deviate too much from what that money is used for.

Joseph Carr stated he was not familiar without the wording in front of him, the exact verbiage of the grant for the Community Center. Joseph Carr stated there were four items that were identified that they need to accomplish under the grant.

Supervisor Logel stated the question came up tonight about the windows were too expensive. She stated she was just wondering if they were going to do what they need to with the windows up in the North Chili Community Center. Joseph Carr stated at this time, he is acquiring quotes and recommendations as to how to handle this. He stated then he will have to review with the grant administration office what they would deem as appropriate. He stated once he gets to that point, he will report to the Board.

Supervisor Logel stated the question that keeps coming up, regarding the refund programs. She stated nothing is going to change on refund programs until the new year, when a new program is started. Supervisor Logel stated there has been a refund policy in this Town established long before her coming here. She stated in order to have a non-refund policy, a program has to start with that being stated.

Supervisor Logel stated she has been a very big advocate for eliminating refunds. She stated she has talked to both the Senior Center and the Recreation Department where most of the refunds are coming from. She stated she has told them that unless a program is a certain amount of money, anything under \$10 will be written up as non-refundable because it is costing them so much to write the checks. She stated \$2 and \$3 are just not refundable.

Supervisor Logel stated the other thing she has talked about, and it is not something new they haven't heard, is having maybe a credit towards the next time, so that say it is a senior, and they really want their money back, and they were unable to go on a trip and it was less than \$10, or they were unable to go to a picnic and it was \$5, that that could be carried over to the next event, as just a book thing, with no money having to change hands from the Town of Chili. Supervisor Logel stated she has spoken with the Recreation Director at length about this, and he is quite in agreement with this, that when a new program starts, it will say non-refundable for a certain figure that has to be worked out. Supervisor Logel stated they will see refunds until that goes in effect, though.

Supervisor Logel stated as far as the Verizon bill, that was all explained to Ms. Borgus this afternoon. She stated she immediately went looking into it. She stated \$350 of that increase is the playground phones for the playground program and \$190 of that is the replacement for the stolen telephone. She stated it is not worthwhile carrying \$5 a month per phone insurance against someone stealing a phone, because it is very foolish to steal a phone. She stated it was a brand new phone, never activated and therefore the individual who stole it can never use it. She stated the serial number and the codes for that were immediately called in. She stated so it probably ended up in the trash. She stated but unfortunately that right there is \$550, so that \$550 comes off that \$1300 and some dollar bill, which brings it down to less than last month's bill.

Supervisor Logel stated she has spoken with department heads related to a couple of the ones that were over. She stated because of the stolen phone, the one phone is higher because that was being used now by two people, and so it got extra usage. She stated and the others will be looked at. She stated the two other ones that appear to be over the norm, will be looked at by the department head and discussed with those employees.

Supervisor Logel stated the Protec Security, that is something she has to check into. She stated she has to check into the contract. She stated as far as she understood, she checked with Richard Stowe, and those normally are just renewable year after year after year for their security to check out their parks. She stated she will be investigating that further.

Supervisor Logel stated she has had numerous complaints about employee attitudes and the way they deal with the public. She stated she has spoken to department heads repeatedly that they are



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a service organization, and they are here to serve the public. She stated all she can say is old habits die hard and they are going to continue to make them aware of that particular situation.

Supervisor Logel stated about the mosquito problem, the County has a website, and they also have a hot line number, and they are asking that citizens do more than just look for standing water that doesn't evaporate within two or three days. She stated they're asking that everybody look at their pools, the pool cover that has been on for a while because it is too cold to use a pool, any place that water stands stagnant that can breed mosquitoes. She stated people need to look at their garbage, their piles of wood, a wood pile in the backyard, anything that is stored, maybe a wheelbarrow that is standing that can accumulate some water, any wood or things they may have carried out to the road that is a month behind of when the garage trucks will pick it up, all those things are areas for mosquitoes. She stated there is a website for the County with all kinds of information. She stated the weather is something that they are living with this year, and therefore, they all need to be very diligent about eliminating any standing water.

Supervisor Logel stated Mr. Brixner brought up about six different things, and she was not sure she could even address some of them, whether she followed some of them, but if he has any questions, Mr. Brixner should contact her privately.

Supervisor Logel stated as far as budget committee meetings, there are no budget committee meetings, therefore, no one attends them because they have not had any budget committee meetings. She stated she has an advisory committee that she is working with and that advisory committee is strictly for her and is not a public or open meeting. She stated they have just met a couple times to look at a couple things from the budget that exists. She stated she is still working on the budget for next year.

Supervisor Logel stated as far as the open forum, at the County, people had two minutes. She stated this Board has had six minutes. She stated the agenda suggests five minutes, because that is her attempt to keep everyone within six minutes. She stated they normally don't say too much until about 5, 5 1/2 minutes when people are asked to wrap it up. She stated so nothing has changed on that.

**COUNCIL MEMBERS' REPORTS:**

Councilwoman Ignatowski commented a comment was made about that individual that made offensive remarks at a prior Town Board meeting was the Treasurer of the Chili Republican Committee. Supervisor Logel stated the individual who made those remarks was the Chairman of a fund-raising committee, not the Treasurer. Supervisor Logel stated that person has absolutely nothing to with the Chili Republican Committee.

Councilwoman Sperr stated all that person did was write checks, as told. She stated she wasn't the Chairman. She stated she did not have a title. Supervisor Logel stated that person was the Treasurer of a private fund raising committee that didn't have anything to with the Chili Republican, Democrat or Conservative parties.

**REPORTS SUBMITTED:**

Planning Board- June 08, 2004, June 23, 2004  
 Examining Board of Plumbers- June 7, 2004  
 Traffic and Safety- June 3, 2004, July 1, 2004  
 Conservation Board- June 28, 2004  
 Community Center Monthly Revenue Report- June 1, 2004 - June 30, 2004  
 Recreation Monthly Revenue Report- June 1, 2004 - June 30, 2004  
 Senior Center Monthly Revenue Report- June 1, 2004 - June 30, 2004  
 Town Clerk Report- July 2004  
 Drainage Committee- July 6, 2004  
 Zoning Board of Appeals - June 22, 2004  
 Library Board of Trustees- June 22, 2004  
 Comptroller's Report - July 2004

**CHILI TOWN BOARD MEETING - August 11, 2004****CORRESPONDENCE:**

1. Letter of Resignation - Jeffrey D. Myers, from the Recreation Advisory Committee, dated 29 July 2004.
2. Letter of Resignation- Donald Faso, from the Town Planning Board, dated 05 August 2004- effective 11 August 2004.
3. Letter from Easter Seals New York, dated 27 July 2004 regarding the intent to establish a community residential home in the Town of Chili.

**RESOLUTION #250 RE: SEQR Determination for Golden Road Re-Zoning Application****Offered by: Councilwoman Sperr****Seconded by: Councilman Powers**

**WHEREAS**, the Chili Town Board on March 3, 2004, did declare its intent to be designated the lead agency to conduct a coordinated review of the application for the re-zoning of 221 and 227 Golden Road, and

**WHEREAS**, the applicant's engineer did prepare a full environmental assessment document as well as supplied additional documentation on the environmental status of the site and possible impacts of the proposed re-zoning and development, and

**WHEREAS**, the Town Board on June 16, 2004, did hold a public hearing to consider said project as required under the applicable NY State Environmental Quality Review regulations ("SEQR"), and

**WHEREAS**, the Town Clerk did notify all potential interested agencies.

**NOW, THEREFORE, BE IT RESOLVED** that the Chili Town Board has considered the impacts of the proposed re-zoning and proposed development and hereby makes the determination that the project will not have a significant impact, and hereby directs the Director of Planning, Zoning and Development to prepare the appropriate negative declaration (attached), to be circulated by the Town Clerk according to law.

**UNANIMOUSLY APPROVED****OLD BUSINESS:****RESOLUTION # 227 RE: Rezoning of Property From Rural Agricultural to Residential Zoning****Offered by: Councilman Powers****Seconded by: Councilman Slattery**

**BE IT RESOLVED** that the property located at 221 & 227 Golden Road be rezoned from RA-10 (Rural Agricultural) to R-1-15 (Residential) conditional upon the Town of Chili's Planning Board's approval for subdivision and site plan. The tax account numbers are 132.20-1-03 and part of 132.16-1-31. The Applicant/Owner, Ignazio Battisti, has paid the proper fee.

**UNANIMOUSLY APPROVED****RESOLUTION #251 RE Setting a Public Hearing for Extension of Consolidated Drainage****Offered by: Councilman Slattery****Seconded by: Councilwoman Ignatowski**

**BE IT RESOLVED** that a Public Hearing be set for September 1, 2004, to consider an extension

**CHILI TOWN BOARD MEETING - August 11, 2004**

to the Chili Consolidated Drainage District to serve the property located at 371 & 385 Morgan Road, Scottsville, NY, 14546. Tax ID#s 172.04-1-15.11 & 172.04-1-15.2. The required fee has been paid.

**UNANIMOUSLY APPROVED**

**RESOLUTION #252 RE: Establish Letter of Credit for 3360 Chili Ave. Subdivision**

**Offered by: Councilwoman Sperr**

**Seconded by: Councilman Slattery**

**BE IT RESOLVED** that per recommendation of the Town Engineer, letter of credit be established for 3360 Chili Ave. Subdivision in the amount of \$254,388.00.

Items within the letter of credit include, but are not limited to, full depth construction of roadway, construction of an internal storm sewer system, erosion control measures, earthwork, sidewalks, street trees, right-of-way monumentation, street lighting poles, lot corner pins, and the preparation of record plans to be submitted to the Town.

Additional provisions included within the letter of credit are a 10% construction contingency, a 5% contingency for Town Engineering inspection services and a 1% contingency for Town Administration.

**UNANIMOUSLY APPROVED**

**RESOLUTION #253 RE: Budget Transfers**

**Offered by: Councilwoman Sperr**

**Seconded by: Councilman Slattery**

**BE IT RESOLVED** to transfer \$500.00 from Account A1640.462 (Refuse and Garbage Veh.) to Account A1640.460 (Hwy. Supt. Veh.), and

**BE IT RESOLVED** to transfer \$2,000 from Account A1640.462 (Refuse and Garbage Veh.) to Account A1640.461 (DPW Veh.), and

**BE IT RESOLVED** to transfer \$7,000 from Account A7110.4 (Parks Contractual) to Account A1620.455 (Parks Veh.)

**UNANIMOUSLY APPROVED**

**RESOLUTION #254 RE: Letter of Credit Release for Park Place Section 3 (Release 3)**

**Offered by: Councilwoman Ignatowski**

**Seconded by: Councilwoman Sperr**

**BE IT RESOLVED** that per recommendation of the Town Engineer, \$24,828.08 be released from the letter of credit with Canandaigua National (#1101968477) for Park Place Section 3, leaving a balance of \$64,401.04; subject to engineering fees and street light bills to the Town.

**UNANIMOUSLY APPROVED**

**RESOLUTION #255 RE: Letter of Credit Release for Park Place Section 4 (Release 4)**

**Offered by: Councilwoman Sperr**

**Seconded by: Councilman Slattery**

**BE IT RESOLVED** that per recommendation of the Town Engineer, \$35,407.97 be released from the letter of credit with Canandaigua National (#1101943679) for Park Place Section 4,

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CHILI TOWN BOARD MEETING - August 11, 2004

leaving a balance of \$80,312.43; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

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**RESOLUTION #256 RE: Letter of Credit Release for Park Place Section 5 (Release 5)**

**Offered by: Councilwoman Sperr**

**Seconded by: Councilman Slattery**

**BE IT RESOLVED** that per recommendation of the Town Engineer, \$35,174.13 be released from the letter of credit with Canandaigua National Bank (#1101943733) for Park Place Section 5, leaving a balance of \$204,589.94; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

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**RESOLUTION #257 RE: Rescinding the Position of Acting Recreation Director**

**Offered by: Councilman Slattery**

**Seconded by: Councilwoman Ignatowski**

**BE IT RESOLVED** that effective August 20th, the position of Acting Recreation Director is abolished.

**BE IT FURTHER RESOLVED** that Guy Puglia will continue to provide transitional assistance and support to the current Director until August 20th and that he be paid at his current level until that time.

UNANIMOUSLY APPROVED

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**RESOLUTION #258 RE: Planning Federation Conference**

**Offered by: Councilman Slattery**

**Seconded by: Councilwoman Sperr**

**BE IT RESOLVED** that two members of the Planning Board are authorized to attend the New York Planning Federation Conference in Lake Placid from September 19th to September the 22nd. Total cost not to exceed \$920.00. Amount to be paid from account A8020.4.

UNANIMOUSLY APPROVED

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**RESOLUTION #259 RE: Appointment of Chairperson to the Planning Board**

**Offered by: Councilman Powers**

**Seconded by: Councilman Slattery**

**BE IT RESOLVED** that Jim Martin shall be appointed as the Planning Board Chairperson effective this day August 11, 2004 and shall be paid at the rate of \$258.00 per meeting attended for the calendar year 2004; expenses to be paid by voucher as incurred.

UNANIMOUSLY APPROVED

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**RESOLUTION #260 RE: July 21, 2004 Abstract**

**Offered by: Councilwoman Sperr**

**Seconded by: Councilman Slattery**

**WHEREAS**, January 21, 2004 resolution authorized vouchers to be paid July 21, 2004 by all Council signing a waiver form; and

**CHILI TOWN BOARD MEETING - August 11, 2004**

**WHEREAS**, Council did authorize by a majority vote vouchers 3530-3745 totaling \$402,306.18 to be paid from the Distribution Account as audited by Dianne O'Meara, Comptroller;

**NOW, THEREFORE, BE IT RESOLVED** to note for the record vouchers 3530-3745 were paid from the following funds:

General Fund	\$ 60,633.22
Highway Fund	\$ 13,395.43
H35 Chili Avenue D017381	\$257,522.85
H36 Chili Sewer Improvement Benefit #1	\$ 60,564.15
Special Light Districts	\$ 9,602.43
S Chili Water Benefit #1	\$ 49.50
Consolidated Drainage District	\$ 538.60

Total for Abstract \$402,306.18

**UNANIMOUSLY APPROVED**

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**RESOLUTION #261 RE: August 4, 2004 Abstract**

**Offered by: Councilwoman Ignatowski                      Seconded by: Councilman Slattery**

**WHEREAS**, January 21, 2004 resolution authorized vouchers to be paid August 4, 2004 by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 3880-4038 totaling \$196,341.54 to be paid from the Distribution Account as audited by Dianne O'MEARA, Comptroller;

**NOW, THEREFORE, BE IT RESOLVED** to note for the record vouchers 3880-4038 were paid from the following funds:

General Fund	\$ 41,692.92
Highway Fund	\$ 20,862.87
H40 Annual 2003-4 Reassessment Program	\$ 775.96
Special Light Districts	\$ 1,110.62
Chili Fire Protection District	\$128,289.55
Senior Center Fundraiser	\$ 25.00
Consolidated Drainage District	\$ 3,584.62

Total for Abstract \$196,341.54

**UNANIMOUSLY APPROVED**

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The next meeting of the Chili Town Board is scheduled for Wednesday, September 1, 2004 at 7:00 p.m. at the Chili Town Hall meeting room.

The meeting was adjourned at 8:48 p.m.