

Chili Town Board Meeting

April 14, 2021

Agenda

A. Call to Order

B. Invocation

Pledge of Allegiance

C. Roll Call

| | | |
|--------------|----------------------------|-------|
| Councilman | Mark L. DeCory | _____ |
| Councilwoman | Mary C. Sperr | _____ |
| Councilman | Michael S. Slattery | _____ |
| Councilman | James V. Valerio | _____ |
| Supervisor | David J. Dunning | _____ |

D. Officials/Advisors:

Town Clerk **Virginia Ignatowski**
 Deputy Town Supervisor **Councilman Slattery**
 Counsel for the Town **Richard Stowe**
 Commissioner of Public Works/Superintendent
 Of Highways **David P. Lindsay, P.E.**
 Director of Finance **Daniel Knapp**
 Insurance Counselor **Eric Vail** – Not in Attendance
 Supervisor’s Office **Dawn Forte**
 Stenographer **Sandy Hewlett**

FIRE SAFETY ANNOUNCEMENT: In the event of an emergency requiring the evacuation of the building, please use the indicated exits to my right, left and rear of the room to exit the building.

CELLULAR PHONES: Please turn off all cell phones or put them on silent mode.

E. Presentations/announcements:

F. Public Hearings: **Anyone wishing to be heard at a public hearing, please step up to the podium.**

1. Incentive Zoning for 92 – 93 King Road.

G. Public Forum

Those wishing to be heard may raise their hand once the public forum starts. The Supervisor will call upon those who desire to address the Town Board until all have been heard. For those who will be addressing the Town Board through our Live Streaming, may enter their comments on the live feed. Those comments will be read by the Supervisor once all who are physically present have been heard. During the Public Forum period, each person will be allowed to comment for up to 5 minutes. Comments should be addressed directly to the Supervisor. Be respectful and courteous keeping comments as concise as possible. Questions pertaining to Agenda items will be answered when the Resolution is moved and seconded. Questions on topics not pertaining to the Agenda will be addressed at the conclusion of the public forum time, if at all possible. Virginia L. Ignatowski, Town Clerk, or her designee will keep the time and notify you when you have 30 seconds remaining so that you can conclude your comments within the allotted time.

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H. *Matters of the Supervisor* –

New Matters:

Pending Matters:

Matters of the Town Council –

New Matters:

Pending Matters:

I. Approval of Minutes – 3/17/2021

Reports Submitted –

Advanced Payment of Claims – March 2021

Building Department Report –

Chili Parks & Recreation – 12/15/2020 (No Meetings January 2021, February 2021)

Dog Control Reports –

Library Board Minutes – 2/25/2021

Monthly Financial Statement – March 2021

Planning Board Minutes –

Recreation Center Report – March 2021

Senior Center Report – March 2021

Town Clerk Report – March 2021

Traffic & Safety Minutes – 3/4/2021

Zoning Board Minutes – 2/23/2021

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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**RESOLUTION #139 RE: SEQR Lead Agency Designation for Adoption of Local Law __ of 2021
Repealing & Replacing Chapter 500, Zoning of the Town Code of the Town of
Chili**

WHEREAS, the Chili Town Board on February 10, 2021 did declare its intent to be designated the lead agency in regards to SEQR for Adoption of Local Law#_____ of 2021 Repealing & Replacing Chapter 500, Zoning of the Town Code of the Town of Chili, (hereinafter referred to as Action); and

WHEREAS, the Town of Chili Town Board (hereinafter referred to as Town Board) has reviewed Part 1 of the Long Environmental Assessment Form, prepared by the Commissioner of Public Works for the Action pursuant to the New York Environmental Conservation Law, Article 8 (State Environmental Quality Review Act) and regulations promulgated pursuant thereto in 6 NYCRR Part 617 (SEQRA Regulations); and

WHEREAS, the Town Board determines that said Action is classified as a Type 1 Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board determined that said Action is also subject to review and approval by other involved agencies under the SEQR Regulations; and

WHEREAS, the Town Board determined that it is the most appropriate agency to insure the coordination of this Action and did provide written notifications to involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations; and

WHEREAS, the Town Clerk has submitted a memo to the Town Supervisor indicating that the Town did not receive any correspondences from the involved agencies indicating an objection to the Town Board of the Town of Chili acting as Lead Agency; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby designate itself as the lead agency for the Action.

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RESOLUTION #140 RE: SEQR Determination – Local Law __ of 2021 for the Adoption of Repealing & Replacing Chapter 500, Zoning of the Town Code of the Town of Chili

WHEREAS, the Town of Chili Town Board (hereinafter referred to as Town Board) has determined the Adoption of Local Law#_____ of 2021 titled “Repealing & Replacing Chapter 500, Zoning of the Town Code of the Town of Chili” (hereinafter referred to as Action) to be a Type I Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has reviewed and does hereby accept Part 2 of the Full Environmental Assessment Form, dated April 14, 2021 prepared by the Town Supervisor; and

WHEREAS, the Town Board finds that the Full Environmental Assessment Form, Parts 1 and 2, provides a reasoned elaboration of the impacts likely to result from the Town Board's action to approve the proposed Action; and

WHEREAS, the Town Board did conduct a public hearing March 17, 2021, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, the Town Board, as the designated lead agency under the State Environmental Quality Review (SEQR) Regulations, has given consideration to the comments received from Involved and Interested Agencies; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQR Regulations and the information contained in Parts 1 and 2 of the Full Environmental Assessment Form; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board has considered the list of potential environmental effects set listed in Section 617.7, taken a hard look and engaged in a reasoned elaboration of the submitted information, analysis above and all supporting documentation and has concluded that the action will NOT result in a significant adverse environmental impact; and

BE IT FURTHER RESOLVED, that the Town Board does hereby make a Determination of Non-Significance on said Action and directs the Town Supervisor to sign and date the Full Environmental Assessment Form and the Negative Declaration Form; and

BE IT FINALLY RESOLVED, that the Town Board directs the Town Clerk to certify this resolution, place it in the Town files on the Adoption of Local Law #_____ of 2021, provide proper notification to any involved agencies as required by SEQR and to publish in the Environmental Notice Bulletin (ENB) as required by ECL 8-0113(2)(i), 6 NYCRR Part 617.12 (c)(1).

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RESOLUTION #141 RE: Adoption of Local Law __ of 2021 for the Adoption of Repealing & Replacing Chapter 500, Zoning of the Town Code of the Town of Chili

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, a proposed Local Law __ of 2021 for the adoption of Repealing & Replacing Chapter 500, Zoning of the Town Code of the Town of Chili was introduced to the Town Board of the Town of Chili on the 10th day of February 2021 and has been determined to be in order; and

WHEREAS, a Public Hearing was held by the Chili Town Board at the Town Hall in the Town of Chili, New York on the 17th day of March 2021 at 7:00 p.m. to consider the proposed Local Law of 2021 for the adoption of Repealing & Replacing Chapter 500, Zoning of the Town Code of the Town of Chili and all interested persons were given an opportunity to be heard with respect to the enactment of said local law; and

NOW, THEREFORE, BE IT RESOLVED, that the Local Law __ of 2021 for the adoption of Repealing & Replacing Chapter 500, Zoning of the Town Code hereby enacted by the Town Board of the Town of Chili.

RESOLUTION #142 RE: SEQR Determination – Local Law __ of 2021 for the Adoption of Repealing & Replacing Chapter 304, Historic Preservation of the Town Code of the Town of Chili

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Chili Town Board has received the proposed Local Law __ of 2021 for the adoption of Repealing & Replacing Chapter 304, Historic Preservation of the Town Code of the Town of Chili (hereinafter referred to as Action); and

WHEREAS, the Town Board has reviewed and does hereby accept Part 2 of the Short Environmental Assessment Form, dated April 14, 2021 and prepared by the Town Supervisor; and

WHEREAS, the Town Board has conducted an Uncoordinated Review, in accordance with the SEQRA Regulations, such that each and any other involved agency review the impacts of the proposed action independently and make its own determination of significance about the Action; and

WHEREAS, the Town Board finds that the Short Environmental Assessment Form, Parts 1 and 2, provides a reasoned elaboration of the impacts likely to result from the Town Board's action to approve the proposed Action; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in the SEQR Regulations and the information contained in Parts 1 and 2 of the Short Environmental Assessment Form; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board determines the Action to be an unlisted action for the purposes of SEQR and based on the information and analysis above and the supporting documentation referenced above that the proposed action WILL NOT result in any significant adverse environmental impacts and directs the Town Supervisor to sign and date Part 3 of the Short Environmental Assessment form.

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RESOLUTION #143 RE: Adoption of Local Law __ of 2021 for the Adoption of Repealing & Replacing Chapter 304, Historic Preservation of the Town Code of the Town of Chili

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, a proposed Local Law __ of 2021 for the adoption of Repealing & Replacing Chapter 304, Historic Preservation of the Town Code of the Town of Chili was introduced to the Town Board of the Town of Chili on the 10th day of February 2021 and has been determined to be in order; and

WHEREAS, a Public Hearing was held by the Chili Town Board at the Town Hall in the Town of Chili, New York on the 17th day of March 2021 at 7:00 p.m. to consider the proposed Local Law of 2021 for the adoption of Repealing & Replacing Chapter 304, Historic Preservation of the Town Code of the Town of Chili and all interested persons were given an opportunity to be heard with respect to the enactment of said local law.

RESOLUTION #144 RE: SEQR - Designating the Town Board Lead Agency Status for the Incentive Zoning of 92-93 King Road

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Town of Chili Town Board (hereinafter referred to as Town Board) has reviewed Part 1 of the Short Environmental Assessment Form and the supplemental narrative for the Action (Incentive Zoning of 92-93 King Road, Tax ID Numbers 145.06-01-6.114 & 145.06-1-73) pursuant to the New York Environmental Conservation Law, Article 8 (State Environmental Quality Review Act) and regulations promulgated pursuant thereto in 6 NYCRR Part 617 (SEQRA Regulations); and

WHEREAS, the Town Board determines that said Action is classified as an Unlisted action under the State Environmental Quality Review (SEQR) Regulations; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby designate itself as the lead agency for the Action; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to provide notice hereof to the other agencies as required by law.

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RESOLUTION #145 RE: 2021 Budget Amendments

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, to transfer \$5,000.00 from A1990.4 (Contingency) to A1680.2 (Information Technology - Equipment).

RESOLUTION #146 RE: Modification of Fee Schedule

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the current Planning and Zoning Board and the building permit fee schedule fees have been in place since July 12, 2017; and

WHEREAS, the Building Department Manager has identified some necessary changes; and

NOW, THEREFORE, BE IT RESOLVED, that the fees for the building permits applications and building inspections are revised and updated per the schedule of fees presented to the Town Board (Copy on file in the Clerk's Office) to take effect immediately.

RESOLUTION #147 RE: Exchange Online Renewal

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Town utilizes a hosted email service that requires annual renewal that is scheduled to expire on May 24, 2021; and

WHEREAS, the service is critical to Town operations; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Management Information Services is hereby authorized to renew the Microsoft Exchange Online service for 50 users for a term of one year at a cost of \$2,280 from ePlus, a Microsoft service reseller to be paid from A1680.4 (Information Technology – Contractual).

RESOLUTION #148 RE: Senior Center

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that Katie Bauer shall be provisionally appointed Senior Citizen Program Specialist and shall be paid an annual salary of \$48,266.00 (PG 29) effective April 26, 2021, expenses to be paid by voucher as incurred.

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RESOLUTION #149 RE: Establish Letter of Credit for Gilead Pond Subdivision

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that per the recommendation of the Commissioner of Public Works/Superintendent of Highways and Town Engineer that a letter of credit be established for Gilead Pond Subdivision in the amount of \$275,312.71.

Items within the letter of credit include, but are not limited to storm sewers, roadway work, street trees, street lights, storm water control and erosion and sediment control.

RESOLUTION #150 RE: Establish Letter of Credit for Nowave – 300 Trade Court

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that per the recommendation of the Commissioner of Public Works/Superintendent of Highways and Town Engineer that a letter of credit be established for Nowave in the amount of \$89,862.47.

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

RESOLUTION #151 RE: Letter of Credit Release for TUGI, LLC at 1891 Scottsville Road - Final

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer, \$113,812.40 be released from the letter of credit #72190008 with Fairport Savings Bank for TUGI, LLC leaving a balance of \$0.00; subject to engineering fees and street light bills to the Town.

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RESOLUTION #152 RE: Disposal of Surplus Equipment

OFFERED BY: _____ **SECONDED BY:** _____

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; and

NOW, THEREFORE, BE IT RESOLVED, that subject to awarding of bids for new vehicles or the purchase of new equipment, 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 proceeds there from, if any, in accordance with Section 142(5) of the Highway Law:

- #95 – 2011 International Plow Truck
- #450 – 2010 Ford F-350
- #266 – 2011 Ford F-350
- #220 – 2007 Hyundai Loader
- #8 – 2012 F250 Pickup
- #5 – 2012 F250 Pickup
- #217 – 2006 New Holland Tractor
- Non-numbered Sander

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RESOLUTION #153 RE: April 7, 2021 Abstract

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, January 4, 2021 Resolution #1 authorized vouchers to be paid April 7, 2021, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 37514, 37520, 37546-37550, 37552-37567, 37576-37585, 37588-37589, 37591, 37594, 37597-37599, 37605, 37614-37634, 37638-37644 totaling 125,924.41 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED, to note for the record the above listed vouchers were paid from the following funds:

| | | |
|---------------------------|----|-------------------|
| General Fund | \$ | 74,374.80 |
| Highway Fund | | 24,086.14 |
| Library Fund | | 4,357.57 |
| H60 Community Center | | 7,839.17 |
| Drainage District | | 1,124.85 |
| Street Lighting Districts | | 14,141.88 |
| Total Abstract | \$ | <u>125,924.41</u> |

The next meeting of the Chili Town Board will be Wednesday, May 12, 2021 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.