

Chili Town Board Meeting  
May 12, 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**

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:

1. Freed Maxick – 2020 Financials.

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

1. Incentive Zoning for 93 King Road (Continued from the April 14, 2021 Meeting).

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.

Chili Town Board Meeting  
May 12, 2021  
Agenda

H. *Matters of the Supervisor* –

New Matters:

Pending Matters:

*Matters of the Town Council* –

New Matters:

Pending Matters:

I. Approval of Minutes – 4/14/2021

Reports Submitted –

- Advanced Payment of Claims – April 2021
- Building Department Report – April 2021
- Conservation Board Minutes – 3/1/2021, 4/5/2021
- Dog Control Report – April 2021
- Drainage Committee Minutes – 4/6/2021
- Library Board Minutes – 3/25/2021
- Monthly Financial Statement –
- Parks & Recreation Minutes – 3/16/2021, (No Meetings January & February 2021)
- Planning Board Minutes –
- Recreation Center Report –
- Senior Center Report –
- Town Clerk Report – April 2021
- Zoning Board Minutes – 3/23/2021

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from S&J Lake View Enterprises, LLC that they are applying for a liquor license located at 1761 Scottsville Road.
2. The Town of Chili has received notification that Kenneth Bachmann, Highway Department is retiring effective May 27, 2021.

K. Pending Business

L. Old Business

M. New Business

Chili Town Board Meeting  
May 12, 2021  
Agenda

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**RESOLUTION #155 RE: Chili Fire Department Active List**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, that the following individual(s) be added to the Chili Fire Department active list effective May 10, 2021:

Mathew Cremaldi, Kyle Macaluso, Robert Spain

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**RESOLUTION #156 RE: Chili Fire Department Remove from Active List**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, that the following individual(s) be removed from the Chili Fire Department active list effective May 1, 2021:

Alex Lenegan, Jacob Soles, Jacob Wine

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**RESOLUTION #157 RE: Building Permit Refund**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, that per recommendation of Paul Wanzenried, Building Department Manager, a refund in the amount of \$1,181.51 for Permit Application #B-81-2021, to be paid from A2555 (Licenses & Permits,) be issued to Building Innovations Group.

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**RESOLUTION #158 RE: Intermunicipal Agreement**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town of Chili and Churchville-Chili Central School District have entered into Agreements in the past allowing for Town equipment and personnel to provide salting of roads, parking lots and paved areas at the District's Chestnut Ridge Elementary School in the Town of Chili with said services to be billed to and paid by the District; and

**NOW, THEREFORE, BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to execute an Intermunicipal Agreement with the Churchville-Chili Central School District from 7/1/2021 – 6/30/2024 for said services subject to review and approval of said Agreement by the Counsel for the Town.

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Chili Town Board Meeting  
May 12, 2021  
Agenda

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**RESOLUTION #159 RE: Substitute School Traffic Guard PT**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, that Kimberly Farmer be appointed to the Substitute School Traffic Guard PT position and shall be paid at the rate of \$56.65 per day, expenses to be paid by voucher as incurred.

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**RESOLUTION #160 RE: Amendment to State Snow and Ice Agreement**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town of Chili is under contract with the New York State Department of Transportation to provide snow and ice control on State roads within the Town; and

**WHEREAS**, due to the severity of the winter during 2020/2021, the total cost to perform this service is estimated at \$326,733.30; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the Town Supervisor to execute an Amendment to the present Agreement. Said Amendment would increase the estimated cost to perform snow and ice control for the 2020/2021 season to a total amount of \$326,733.30.

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**RESOLUTION #161 RE: Letter of Credit Release #7 for Rose Hill, Phase 2**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, that per recommendation of the Commissioner of Public Works and Town Engineer that \$30,358.98 be released from the letter of credit #520006900 with the Bank of Castile for Rose Hill, Phase 2, leaving a balance of \$381,114.69; subject to engineering fees and street light bills to the Town.

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Chili Town Board Meeting  
May 12, 2021  
Agenda

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**RESOLUTION #162 RE: SEQR - Designating the Town Board Lead Agency Status for the Granting of an Access Easement for Community Center Project**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town Board of the Town of Chili (hereinafter referred to as Town Board) has reviewed the Part 1 of the Short Environmental Assessment Form, prepared by the Commissioner of Public Works for the granting of access easements for the benefit of the owner of 3235 Chili Avenue, Rochester NY 14624 (Tax ID 146.13-1-19), 3235 Chili Avenue, Rochester NY 14624 (Tax ID 146.13-1-18), 3237 Chili Avenue (Tax ID 146.14-1-2) & 3239 Chili Avenue (Tax ID 146.03-1-8.004) for the purposed of ingress and egress (hereinafter referred to as Action); 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.

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**RESOLUTION #163 RE: SEQR - Determination of Significance for the Granting of Access Easement for Community Center Project**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town Board of the Town of Chili Town Board (hereinafter referred to as Town Board) has determined that the granting of access easements for the purposes of ingress and egress for the benefit of the owner of 3235 Chili Avenue (Tax ID 146.13-1-19), 3235 Chili Avenue, Rochester NY 14624 (Tax ID 146.13-1-18), 3237 Chili Avenue (Tax ID 146.14-1-2) & 3239 Chili Avenue (Tax ID 146.03-1-8.004) (hereinafter referred to as Action) to be an Unlisted 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 Short Environmental Assessment Form, dated May 12, 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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Chili Town Board Meeting  
May 12, 2021  
Agenda

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**RESOLUTION #164 RE: Granting of Access Easements for Community Center Project**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, as a condition of filing the re-subdivision plat prepared by Passero Associates, Monroe County is requiring that an access easements be provided for the purposes of ingress and egress for the benefit of the owner of 3235 Chili Avenue, Rochester NY 14624 (Tax ID 146.13-1-19), 3235 Chili Avenue, Rochester NY 14624 (Tax ID 146.13-1-18), 3237 Chili Avenue (Tax ID 146.14-1-2) & 3239 Chili Avenue (Tax ID 146.03-1-8.004) (hereinafter referred to as Action); and

**WHEREAS**, the purpose of said easement is to provide ingress and egress access to the owner of 3235 Chili Avenue, Rochester NY 14624 (Tax ID 146.13-1-19), 3235 Chili Avenue, Rochester NY 14624 (Tax ID 146.13-1-18), 3237 Chili Avenue (Tax ID 146.14-1-2) & 3239 Chili Avenue (Tax ID 146.03-1-8.004); and

**NOW, THEREFORE, BE IT RESOLVED**, that upon approval of the Attorney for the Town Board of the Town of Chili, the Town of Chili shall grant to the owner of 3235 Chili Avenue, Rochester NY 14624 (Tax ID 146.13-1-19), 3235 Chili Avenue, Rochester NY 14624 (Tax ID 146.13-1-18), 3237 Chili Avenue (Tax ID 146.14-1-2) & 3239 Chili Avenue (Tax ID 146.03-1-8.004) an access easement for the purposes of ingress and egress, which is further detailed in the Declaration of Access Easement prepared by the Attorney for the Town and as set forth in Schedule A, annexed here to; and

**BE IT FURTHER RESOLVED**, the Supervisor of the Town of Chili, is hereby authorized and directed to execute, on behalf of the Town of Chili, all necessary documents relating to the granting of the access easement after the documentation has been reviewed and approved by the Attorney for the Town Board.

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Chili Town Board Meeting  
 May 12, 2021  
 Agenda

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**RESOLUTION #165 RE: Standard Work Day and Reporting Resolution for Employees**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, New York State Town Law regulates additional reporting for elected and appointed officials who are members of the NYS retirement system; and

**WHEREAS**, a Record of Work Activities must be completed by those employees that are not paid hourly or participate in the Town’s time keeping system in order to either establish days/month or days/meeting; and

**WHEREAS**, all positions in the town must also have a standard work day established; and

**THEREFORE, BE IT RESOLVED**, that the town of Chili hereby establishes the following standard work days for the listed elected and appointed officials and will report the following days worked to the New York State Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

| Title                                 | Name                  | Standard Work Day (Hrs/Day) | Term Begins/Ends        | Participates in Employer’s Time Keeping System | Days/Month (based on Record of Activities) |
|---------------------------------------|-----------------------|-----------------------------|-------------------------|--|--|
| <b>ELECTED</b>                        | <b>OFFICIALS</b>      |                             |                         |  |  |
| Town Justice                          | Martin P. McCarthy II | 6                           | 01/01/2021 – 12/31/2021 | N  | 3.39                                       |
| <b>APPOINTED</b>                      | <b>OFFICIALS</b>      |                             |                         |  | Days/Meeting                               |
| Parks and Recreation Committee member | Melissa Cunningham    | 6                           | 01/01/2021 – 12/31/2023 | N/A  | .5   |
|                                       |                       |                             |                         |  |  |

**BE IT FURTHER RESOLVED**, to establish the standard work day for a recently created position as follows:

| Title                             | Standard Work Day (Hrs/Day) |
|-----------------------------------|-----------------------------|
| Senior Citizen Program Specialist | 7                           |

Chili Town Board Meeting  
May 12, 2021  
Agenda

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**RESOLUTION #166 RE: April 21, 2021 Abstract**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, January 4, 2021 Resolution #1 authorized vouchers to be paid April 21, 2021, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 37493, 37586-37587, 37647-37650, 37652-37657, 37665-37681, 37685-37686, 37688, 37691-37708, 37716-37720, 37724, 37726-37743, 37746-37750, 37754-37760, 37764-37769 totaling 516,943.51 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                 | \$ 65,463.00         |
| Drainage Improvement Reserve | 3,422.16             |
| Highway Fund                 | 5,918.92             |
| Library Fund                 | 439.71               |
| H60 Community Center         | 437,185.15           |
| Drainage District            | 1,954.41             |
| Fire Protection Districts    | 295.48               |
| Sidewalk Districts           | 2,264.68             |
| Total Abstract               | <u>\$ 516,943.51</u> |

Chili Town Board Meeting  
May 12, 2021  
Agenda

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**RESOLUTION #167 RE: May 5, 2021 Abstract**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, January 4, 2021 Resolution #1 authorized vouchers to be paid May 5, 2021, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 37770-37777, 37781-37802, 37805-37812, 37814-37826, 37828, 37830-37831, 37833-37841, 37845, 37847 totaling 111,053.16 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                | \$ 62,614.51         |
| Recreation Facility Reserve | 6,056.02             |
| Highway Fund                | 9,232.72             |
| Library Fund                | 4,480.97             |
| H60 Community Center        | 8,690.50             |
| H61 Archer Rd Park          | 4,978.50             |
| Drainage District           | 1,368.21             |
| Street Lighting Districts   | 13,631.73            |
| Total Abstract              | <u>\$ 111,053.16</u> |

The next meeting of the Chili Town Board will be Wednesday, June 16, 2021 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.