

Chili Town Board Meeting  
December 15, 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:

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

1. Local Law \_\_ of 2021 for Prohibiting the Establishment of Cannabis Retail Dispensaries & Onsite Cannabis Consumption Sites of the Town Code of the Town of Chili.

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 – 11/10/2021

Reports Submitted –

2021 Y/E Report Architectural Advisory Committee  
2021 Y/E Report Assessor  
2021 Y/E Report BAR  
2021 Y/E Report Building Department  
2021 Y/E Report Conservation Board  
2021 Y/E Report Drainage Committee  
2021 Y/E Report Ethics  
2021 Y/E Report Finance  
2021 Y/E Report Historian  
2021 Y/E Report Historic Preservation Board  
2021 Y/E Report Library  
2021 Y/E Report MIS  
2021 Y/E Report Parks & Recreation Committee  
2021 Y/E Report Planning Board  
2021 Y/E Report Recreation Department & Senior Center  
2021 Y/E Report Town Clerk  
2021 Y/E Report Traffic & Safety  
2021 Y/E Report Zoning Board  
2030 Comprehensive Plan – Y/E Report 2021  
Advanced Payment of Claims – November 2021  
Building Department Report – November 2021  
Dog Control Reports – November 2021  
Historic Preservation Minutes – 11/8/2021  
Monthly Financial Statement – November 2021  
Parks & Recreation Minutes – 10/19/2021  
Planning Board Minutes – 10/26/2021  
Recreation/Senior Center Report – November 2021  
Town Clerk Report – November 2021  
Traffic & Safety Minutes – 11/4/2021  
Zoning Board Minutes – 10/26/2021

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J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from Gwen Machulskis, Recreation Attendant that she is resigning; effective December 14, 2021.
2. Virginia Ignatowski, Town Clerk has received notification from Lorraine Townsend, P/T Deputy Town Clerk/Deputy Receiver of Taxes and Assessments that she is resigning; effective December 30, 2021.

K. Pending Business

L. Old Business

M. New Business

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**RESOLUTION #246 RE: Fire and Ambulance Contracts**

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

**BE IT RESOLVED**, that Supervisor Dunning be authorized to sign Fire and Ambulance Contracts in accordance with the 2022 Budget, pending review of counsel.

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**RESOLUTION #247 RE: Penflex Inc. Agreement**

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

**BE IT RESOLVED**, that Supervisor Dunning is authorized to enter into a Service Fee Agreement with Penflex, Inc. to perform standard administrative services for the Chili Fire Department Inc. Service Award Program for the term November 1, 2021, to October 31, 2022, as well as actuarial services in connection with the GASB 73 required financial statement disclosures.

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**RESOLUTION #248 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 December 13, 2021:

Skylar Williams

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**RESOLUTION #249 RE: Town Clerk Office**

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

**BE IT RESOLVED**, that Roxanne LoMando shall be Deputy Town Clerk/Deputy Receiver of Taxes/Assessments as appointed by Town Clerk Virginia Ignatowski and shall be paid an annual salary of \$40,000.00 effective January 3, 2022, expenses to be paid by voucher as incurred.

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**RESOLUTION #250 RE: Transfer to Community Center and Infrastructure Project**

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

**WHEREAS**, the Town of Chili is in the process of completing the construction of a new community center as well as making site and infrastructure improvements in the surrounding area; and

**WHEREAS**, as of December 31, 2020, the Town had \$2,000,000.00 in the General Fund Assigned Unappropriated Fund Balance for use towards a series of ongoing and upcoming projects, including the community center project and site and infrastructure improvements in the surrounding area; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend expense budget A9950.9 (Transfer to Capital Projects) by an increase of \$750,000.00; and

**BE IT FURTHER RESOLVED**, to transfer \$750,000.00 from the General Fund Assigned Unappropriated Fund Balance to the Community Center capital project (H60).

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**RESOLUTION #251 RE: Drainage Committee**

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

**WHEREAS**, the Drainage Committee was formed by Resolution #261 on June 20, 1962; and

**WHEREAS**, the creation of a town wide drainage district has negated the need for this committee; and

**WHEREAS**, the Town is grateful to all of the members who have served over the years since 1962; and

**BE IT RESOLVED**, the Town Board of the Town of Chili hereby dissolves the Drainage Committee effective December 31, 2021.

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**RESOLUTION #252 RE: In Memory of William “Bill” Kelly**

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

**WHEREAS**, we the Town Board of the Town of Chili find it befitting to extend our deepest sympathy to the Kelly family during the passing of William “Bill” Kelly, who on October 30, 2021 passed away; and

**WHEREAS**, William “Bill” Kelly served from 1/1/1976 – 12/31/1985 as the Town Attorney and from 1/1/1994 – 12/31/1999 as the Town Supervisor; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Chili hereby sets aside this special page of their minutes from this Town Board Meeting in his honor and takes a moment of silence in William “Bill” Kelly’s memory. The Town Clerk is hereby directed to send a copy of this resolution to the Kelly family.

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**RESOLUTION #253 RE: Town Court**

**BE IT RESOLVED**, that Jeff Miller shall be appointed as Court Attendant - PT and be paid at the rate of \$78.21 per court session attended; effective January 3, 2022, expenses to be paid by voucher as incurred.

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**RESOLUTION #254 RE: Letter of Credit Release #2 for Gilead Pond Subdivision**

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

**WHEREAS**, that per recommendation of the Commissioner of Public Works and Town Engineer that \$94,832.03 be released from the letter of credit #467 with LNB Banking for Gilead Pond, leaving a balance of \$96,624.88; subject to engineering fees and street light bills to the Town.

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**RESOLUTION #255 RE: Letter of Credit Release #14 for Rose Hill, Phase 1**

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

**WHEREAS**, that per recommendation of the Commissioner of Public Works and Town Engineer that \$29,923.45 be released from the letter of credit #520005477 with Bank of Castile for Rose Hill, Phase 1, leaving a balance of \$101,152.37; subject to engineering fees and street light bills to the Town.

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**RESOLUTION #256 RE: Letter of Credit Release #10 for Rose Hill, Phase 2**

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

**WHEREAS**, that per recommendation of the Commissioner of Public Works and Town Engineer that \$107,510.30 be released from the letter of credit #520006900 with the Bank of Castile for Rose Hill, Phase 2, leaving a balance of \$186,832.45; subject to engineering fees and street light bills to the Town.

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**RESOLUTION #257 RE: Intermunicipal Agreement with Monroe County for Shared Recreation Programs and Park Services**

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

**WHEREAS**, the County of Monroe owns, operates, and maintains parks in the town of Chili; and

**WHEREAS**, the 2021 Monroe County Shared Services Plan adopted pursuant to General Municipal Law § 239-bb included sharing resources between municipalities and/or jointly procure contracts to provide programming, facilities, and administration of parks and recreation across municipal boundaries; and

**WHEREAS**, the County and Town are authorized to share such services pursuant to General Municipal Law Article 5-G; and

**WHEREAS**, pursuant Resolution 196 of 2021, the Monroe County Legislature authorized this Agreement to share recreation programs and park services with towns and villages of the County; and

**WHEREAS**, the Town Board of the Town of Chili has determined that it's in the best interest of the Town to enter into this Intermunicipal Agreement with the County for shared recreation programs and park services; and

**NOW, THEREFORE, BE IT RESOLVED**, that subject to review and approval of the Counsel for the Town that the Supervisor is hereby authorized to execute the Intermunicipal Agreement with Monroe County for Shared Recreation Programs and Park Services for a term up to five (5) years from the date of the execution of the agreement, with the option to renew for up to three (3) additional one-year terms.

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**RESOLUTION #258 RE: 2021 Budget Amendments**

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

**BE IT RESOLVED**, to transfer \$1,000.00 from SD9040.8 (Drainage District – Workers’ Comp) to SD9010.8 (Drainage District – State Retirement); and

**BE IT FURTHER RESOLVED**, to transfer \$1,100.00 from A1990.4 (Contingency) to A1670.4 (Central Mail - Postage); and

**BE IT FURTHER RESOLVED**, to amend budget SL5182.4236.0304 (Street Lighting – Pumpkin Hill) by an increase of \$250.00; and

**BE IT FURTHER RESOLVED**, to amend Pumpkin Hill Lighting District Fund appropriated fund balance to \$1,250.00 from the 2021 adopted budget amount of \$1,000.00; and

**BE IT FURTHER RESOLVED**, to amend budget SL5182.4236.0312 (Street Lighting – Blueberry Hill) by an increase of \$500.00; and

**BE IT FURTHER RESOLVED**, to amend Blueberry Hill Lighting District Fund appropriated fund balance to \$1,750.00 from the 2021 adopted budget amount of \$1,250.00; and

**BE IT FURTHER RESOLVED**, to amend budget SL5182.4236.0335 (Street Lighting – Chili Consolidated District #1) by an increase of \$8,000.00; and

**BE IT FURTHER RESOLVED**, to amend Chili Consolidated District #1 Lighting District Fund appropriated fund balance to \$18,000.00 from the 2021 adopted budget amount of \$10,000.00; and

**BE IT FURTHER RESOLVED**, to transfer \$3,000.00 from A7310.1 (Youth Programs - Personnel) to A7020.1 (Recreation Admin – Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$7,000.00 from A1990.4 (Contingency) to A1620.4 (Buildings – Community Center).



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**RESOLUTION #259 RE: Award Bid – Contract “A”, General Trades for former Library space,  
Town Court renovations.**

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

**WHEREAS**, bids for the completion of Contract “A”, General Trades were received by the Town Clerk on November 23<sup>rd</sup>, 2021 as follows:

Company Name	Alternate #1 Amount	Alternate #2 Amount	Alternate #3 Amount	Total Base Bid Amount
Building Innovation Group	\$14,882.00	\$9,272.00	\$29,910.00	\$999,875.00
DiPasquale Construction Inc	\$15,000.00	\$13,000.00	\$12,000.00	\$1,050,000.00
D'Agostino General Contractors	\$16,000.00	\$13,000.00	\$8,700.00	\$1,078,000.00
Whitney East	\$19,000.00	\$9,950.00	\$31,000.00	\$1,090,000.00
Holdsworth Klimowski	\$18,000.00	\$10,400.00	\$14,600.00	\$1,093,000.00
UDN, Inc.	\$13,700.00	\$7,900.00	\$20,200.00	\$1,156,777.00
Javen Construction	\$18,000.00	\$8,000.00	\$13,000.00	\$1,159,000.00

The Construction Manager, Christa Construction has reviewed the bids and the qualifications of the low bidder, and has found no reason to not accept the low bid; and

**NOW, THEREFORE, BE IT RESOLVED**, that per the recommendation of David Dunning, Supervisor, to award the bid for Contract “A” – General Trades, to Building Innovation Group at a cost not to exceed \$1,053,939.00 to be paid from A1620.2000.0033 (Buildings – Equipment – Admin Facility Reserve).

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**RESOLUTION #260 RE: Award Bid – Contract “B” Plumbing and Fire Protection for former Library space,  
Town Court renovations.**

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

**WHEREAS**, bids for the completion of Contract “B”, Plumbing and Fire Protection were received by the Town Clerk on November 23<sup>rd</sup>, 2021 as follows:

Company Name	Alternate #1 Amount	Total Base Bid Amount
Landry Mechanical	\$2,500.00	\$125,500.00
Nairy Mechanical	\$5,800.00	\$138,700.00
Thurston Dudek	\$5,000.00	\$164,000.00

The Construction Manager, Christa Construction has reviewed the bids and the qualifications of the low bidder, and has found no reason to not accept the low bid; and

**NOW, THEREFORE, BE IT RESOLVED**, that Supervisor Dunning, be authorized to award the bid for Contract “B”, Plumbing and Fire Protection to Landry Mechanical and sign the necessary contracts, subject to attorney review, at a cost not to exceed \$128,000.00 to be paid from A1620.2000.0033 (Buildings – Equipment – Admin Facility Reserve).

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**RESOLUTION #261 RE: Award Bid – Contract “C”, Mechanical for former Library space, Town Court renovations.**

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

**WHEREAS**, bids for the completion of Contract “C”, Mechanical were received by the Town Clerk on November 23<sup>rd</sup>, 2021 as follows:

Company Name	Alternate #1 Amount	Total Base Bid Amount
Pipitone Enterprises	\$0.00	\$387,000.00
Nairy Mechanical	\$1,000.00	\$409,700.00
Crosby-Brownlie	\$1,200.00	\$434,400.00
Landry Mechanical	\$200.00	\$443,000.00

The Construction Manager, Christa Construction has reviewed the bids and the qualifications of the low bidder, and has found no reason to not accept the low bid; and

**NOW, THEREFORE, BE IT RESOLVED**, that Supervisor Dunning, be authorized to award the bid for Contract “C”, Mechanical, to Pipitone Enterprises, LLC. and sign the necessary contracts, subject to attorney review, at a cost not to exceed \$387,000.00 to be paid from A1620.2000.0033 (Buildings – Equipment – Admin Facility Reserve).

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**RESOLUTION #262 RE: Award Bid – Contract “D”, Electrical for former Library space, Town Court renovations.**

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

**WHEREAS**, bids for the completion of Contract “D”, Electrical were received by the Town Clerk on November 23<sup>rd</sup>, 2021 as follows:

Company Name	Alternate #1 Amount	Total Base Bid Amount
Mylerson Electric	\$1,500.00	\$339,530.00
Kaplan-Schmidt Electric	\$0.00	\$349,000.00
North Coast Electrical Solutions	\$0.00	\$385,000.00
Conord Electric	\$0.00	\$388,000.00

The Construction Manager, Christa Construction has reviewed the bids and the qualifications of the low bidder, and has found no reason to not accept the low bid; and

**NOW, THEREFORE, BE IT RESOLVED**, that Supervisor Dunning, be authorized to award the bid for Contract “D”, Electrical, to Mylerson Electric Inc. and sign the necessary contracts, subject to attorney review, at a cost not to exceed \$341,030.00 to be paid from A1620.2000.0033 (Buildings – Equipment – Admin Facility Reserve).

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**RESOLUTION #263 RE: November 17, 2021 Abstract**

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

**WHEREAS**, January 4, 2021 Resolution #1 authorized vouchers to be paid November 17, 2021, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 39101-39102, 39132-39135, 39257-39263, 39273-39281, 39283-39286, 39288-39297, 39301-39347, 39351, 39355-39357, 39361-39373 totaling \$102,246.58 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	\$	81,253.56
Highway Fund		19,668.07
Library Fund		98.26
Drainage District		720.54
Fire Protection Districts		506.15
Total Abstract	<u>\$</u>	<u>102,246.58</u>

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**RESOLUTION #264 RE: December 1, 2021 Abstract**

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

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

**WHEREAS**, Council did authorize by a majority vote vouchers 38807, 39264-39265, 39374, 39380, 39386, 39388-38390, 38394-39400, 39408-39430, 39432-39470, 39474-39489 totaling \$830,689.22 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	\$	409,025.27
Recreation Facility Reserve		2,286.25
Drainage Improvement Reserve		2,685.95
Comprehensive Plan Reserve		5,440.00
Highway Fund		297,876.41
Library Fund		77,918.11
Drainage District		20,555.49
Street Lighting Districts		14,901.74
Total Abstract	<u>\$</u>	<u>830,689.22</u>

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**RESOLUTION #265 RE: December 15, 2021 Abstract**

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

**BE IT RESOLVED**, to pay vouchers 39266-39269, 39282, 39287, 39391, 39431, 39490-39497, 39500-39506, 39511-39519, 39522-39528, 39531-39560, 39562, 39564, 39566-39568, 39570-39572, 39574-39581, 39583-39587, 39589-39594, 39596-39604, 39606-39607, 39610-39614 totaling \$210,438.46 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$	64,190.73
Recreation Facility Reserve		35,090.78
Admin Facility Reserve		3,044.69
Highway Fund		67,130.56
Library Fund		255.73
H60 Community Center		30,151.45
Drainage District		6,859.55
Fire Protection Districts		3,714.97
Total Abstract	<u>\$</u>	<u>210,438.46</u>

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The next meeting of the Chili Town Board will be recessed until Wednesday, December 30, 2021 at 12:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.