

Chili Town Board Meeting
Resumed from the December 15, 2021 Meeting
December 30, 2021
Minutes

A regular meeting of the Chili Town Board was held on December 30, 2021 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 12:00 p.m. The meeting was called to order by Supervisor David Dunning.

PRESENT: Councilman DeCory; Councilman Slattery, Councilwoman Sperr, Councilman Valerio and Supervisor David Dunning.

ALSO PRESENT: Dawn Forte, Supervisor's Secretary; Virginia Ignatowski, Town Clerk; Daniel Knapp, Director of Finance; Councilman Slattery, Deputy Town Supervisor; Richard Stowe, Counsel.

SUPERVISOR DUNNING: This is a continuation of a meeting from our previous meeting of December 15, 2021. As such, I will reopen this meeting and we will stand for the Invocation and Pledge of Allegiance.

The invocation was given by Virginia Ignatowski.

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

Approval of Minutes –

Reports Submitted –

Drainage Committee Minutes – 10/5/2021, 11/2/2021

Parks & Recreation Minutes – 11/16/2021

SUPERVISOR DUNNING: There is a presentation to Lorraine Townsend for her years of service to the Town of Chili. So, if you guys could join me.

Don't you start crying on us. On behalf of the Town of Chili, we would like to recognize Lorraine Townsend for her 20 years of service. It is a just a small token of our appreciation, we hope you will find a place for it in your home and you can look at it and remember all of us. It is not like you can't forget some of the people that you have worked with over the years.

We have greatly appreciated all that you have done Lorraine, I know in my time here it has always been fun watching you in the Town Clerk's office and if I cracked a little joke, you would have an amazing response to it and put me in my place at the time. Your wit, your sense of humor and dedication to the Town of Chili and what you have done for us is greatly appreciated. So, on behalf of the Town of Chili I would like to again present you with this small token of our appreciation and thank you, thank you for all the time you have spent with us and all the work you have done for us and for our residents of the Town of Chili.

LORRAINE TOWNSEND: Thank you very much.

DAVID DUNNING: Ginny would you like to say something.

VIRGINIA IGNATOWSKI: Oh, yea I would, you mentioned her wit, that is something that I will miss because she definitely has comebacks and as we get older, we hope to have that. You are very much a pleasure to work with, you had a lot of patience and passion for serving our residents. You will be missed. Thank you very much for your service.

LORRAINE TOWNSEND: Well thank you I enjoyed very much working here for twenty years. Twenty years went fast. No, I did with everybody and all of the departments. Thank you so much. Thank you.

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TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: As this is a continuation of our meeting, there is no public forum and we will move onto resolutions. I would like to move resolutions #266 and #267. I would just like to before we take a vote, we brought this resolution forward, moved this resolution. I think that this is in the best interest of the Town of Chili at this point and time. I think that the state has not provided us with enough information. They have not given us the laws; they have not given us any guidance what so ever other than we can opt out or we can opt in. There is not a whole lot of guidance out there for us. I think it is prudent at this time to do this with the understanding that as things progress throughout the coming years that we can always opt back in. But our options to opt out do not extend beyond tomorrow. So, I do think that this is in the best interest of the town, the best interest of town business and how it may or not affect other business in the Town of Chili. And I do not have the answers to that or any individual or group of individuals can actually answer that at this point and time. So, with that I am in full support of opting out of allowing the dispensaries and lounges at this time. Should things change in the future we can reconsider and we can look at it differently. We can look at what other towns have done, other municipalities, how is it being managed, how it is working. If there are actually financial benefits to it down the road. We can look at that. So that is my position on that and would ask if there are any other questions or comments?

COUNCILWOMAN SPERR: Yea, I just the time that we take if we support this resolution, it gives us an opportunity to get our own zoning code in order and prepare for what comes next. And get to as a town choose to how we want to treat this whole topic and not allow them to come in and tell us how we have to run our town.

SUPERVISOR DUNNING: Anyone else?

COUNCILMAN SLATTERY: Yes, Supervisor I do. Um, as it was brought up at the last town board meeting people talked about why we waited and so forth, we are still waiting for more information to come from the state. But listening to the public comments from the last town board meeting, people talked about various things. Medical marijuana, recreational use, there was also a comment and I quote from one individual saying "These people think that smelling pot will kill them". Well, to be blunt I ride my bicycle quite a bit and I was just out two days ago and the marijuana smell coming from out of the amount of vehicles traveling by me as I am on the shoulder of the road is overwhelming. When I go out I will do 40 to 50 miles and when you go through certain communities, even Chili the people that are smoking in their vehicles, talk about distracted drivers that is one that I see. Then they talked about the tax base, well the recent article in the Democrat and Chronicle on 12/20/2021 talked about pot companies "warn of industry collapse". And they talked about all this revenue that would be coming in. Leading California cannabis companies worn Governor Newsom that the state's legal industry collapse and needed immediate tax cuts. It goes onto state that the industry leaders asked for immediate lifting of the tax placed on growers, a three-year holiday from excess tax.

And they just want now they are talking about all this money that we would be making, but people are complaining in the industry that they cannot survive because of the taxes.

So, when they say we are going to be bringing in all this money. I think that's not totally accurate. Then there was another article that was in the Democrat and Chronicle. It says "car crash surge deaths surge in pandemic". In the article it says "the pandemic has made US drivers more reckless, more likely to speed, drink or use drugs and leave their seatbelts unlocked". "Experts believe that on the road is likely a reflection of wide spread feeling of isolation, loneliness, and depression". So, what do you do during those times, when you are depressed and so forth. So, there is a number of things people do and one of them is drugs. They said that "alcohol sales have soared, drug overdoses have set new records and homicides have seen the biggest increases on record". And if you are familiar with the City of Rochester, we are leading that charge, something to be proud of. So, there are other articles that have come out or other things in the media. But I just wanted to get that out there about some of the comments out there with increase taxes and how about how marijuana won't hurt you or whatever. I have had some close calls on my bicycle and it just seeing it and smelling it. If you want your kids to be around that, which I don't or my grandkids, so that is just my comments on it at this point.

SUPERVISOR DUNNING: Thank you, anyone else? Counsel? Rich>

RICH STOWE: Mine is only a procedural matter. You did two resolutions.

SUPERVISOR DUNNING: Yes, sir.

RICH STOWE: I would like the board and the roll call to reflect the first one first, before you do the second one.

SUPERVISOR DUNNING: Got you, thank you. Can I have a roll call on resolution #266 please.

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RESOLUTION #266 RE: SEQR - Designating Lead Agency Status for Adoption of Local Law# ____ of 2021 Prohibiting the Establishment of Cannabis Retail Dispensaries and Onsite Cannabis Consumption Sites in the Town of Chili

OFFERED BY: Supervisor Dunning SECONDED BY: Councilman Slattery

WHEREAS, the Chili Town Board has received the proposed Local Law __ of 2021 for prohibiting the establishment of cannabis retail dispensaries and onsite cannabis consumption sites in the Town of Chili (hereinafter referred to as Action); and

WHEREAS, a Public Hearing on the matter was duly held by the Town Board on December 15, 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 has reviewed and does hereby accept Part 2 of the Short Environmental Assessment Form, dated December 30, 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.

Councilman DeCory – Aye
Councilman Slattery – Aye
Councilwoman Sperr – Aye
Councilman Valerio – Aye
Supervisor Dunning - Aye

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RESOLUTION #267 RE: Adoption of Local Law# ____ of 2021 for Prohibiting the Establishment of Cannabis Retail Dispensaries and Onsite Cannabis Consumption Sites in the Town of Chili.

OFFERED BY: Supervisor Dunning SECONDED BY: Councilman Slattery

WHEREAS, a proposed Local Law # ____ of the year 2021 for the adoption of Prohibiting the Establishment of Cannabis Retail Dispensaries and Onsite Cannabis Consumption Sites in the Town of Chili was introduced to the Town Board of the Town of Chili on the 10th day of November, 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, Main Meeting Room in the Town of Chili, New York on the 15th day of December, 2021 at 7:00 p.m. to consider the proposed Local Law of the year 2021 for the adoption of Prohibiting the Establishment of Cannabis Retail Dispensaries and Onsite Cannabis Consumption Sites 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 Local Law # ____ of 2021, for the adoption of Prohibiting the Establishment of Cannabis Retail Dispensaries and Onsite Cannabis Consumption Sites of the Town Code is hereby enacted by the Town Board of the Town of Chili, the Town Clerk is hereby directed to notify the required agencies of its enactment.

Councilman DeCory – Aye
Councilman Slattery – Aye
Councilwoman Sperr – Aye
Councilman Valerio – Aye
Supervisor Dunning - Aye

RESOLUTION #268 RE: Comprehensive Plan Reserve Fund

OFFERED BY: Councilman DeCory SECONDED BY: Councilwoman Sperr

WHEREAS, on January 18, 2012, on Resolution 112 the Town Board established, and on February 10, 2016, on Resolution 110 the Town Board revised, the Comprehensive Plan Reserve for the purpose of preparing future Comprehensive Plans as well as updating and amending existing Comprehensive Plans as required; and

WHEREAS, the Town has previously engaged with RLB Planning Group to assist in the updating of the 2030 Comprehensive Plan as required, and wishes to continue to use RLB Planning Group to complete this project; and

NOW, THEREFORE, BE IT RESOLVED, that funds in an amount not to exceed \$10,000.00 from the Comprehensive Plan Reserve be used to the purpose of updating the 2030 Comprehensive Plan as required; and

BE IT FURTHER RESOLVED, that Supervisor Dunning is hereby authorized to engage with RLB Planning Group to provide consultation services pertaining to the update of the Town of Chili 2030 Comprehensive Plan in an amount not to exceed \$10,000.00, to be paid from A8020.4290.0053 (Planning – Comprehensive Plan).

Councilman DeCory – Aye
Councilman Slattery – Aye
Councilwoman Sperr – Aye
Councilman Valerio – Aye
Supervisor Dunning – Aye

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RESOLUTION #269 RE: 2021 Budget Amendments

OFFERED BY: Councilman Valerio SECONDED BY: Councilman DeCory

BE IT RESOLVED, to transfer \$40,000.00 A1490.1 (Dept. of Public Works – Personnel) to A1620.4 (Buildings – Community Center Operations); and

BE IT FURTHER RESOLVED, to transfer \$10,000.00 A1490.1 (Dept. of Public Works – Personnel) to A1620.4 (Buildings – Community Center Utilities); and

BE IT FURTHER RESOLVED, to transfer \$750.00 from A1490.1 (Dept. of Public Works – Personnel) to A6510.4 (Veterans Services – Contractual).

Councilman DeCory – Aye
Councilman Slattery – Aye
Councilwoman Sperr – Aye
Councilman Valerio – Aye
Supervisor Dunning - Aye

RESOLUTION #270 RE: Encumber 2021 Funds

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman Valerio

BE IT RESOLVED, to encumber the following from 2021 budgets:

1. A1410.4 (Town Clerk – Software) in the amount of \$2,497.50 for Maplink software; and
2. A1620.4 (Buildings – Rec Facilities) in the amount of \$12,000.00 for NYSID cleaning services; and
3. A1620.4 (Buildings – Highway Facilities) in the amount of \$7,500.00 for radio repair and relocation costs; and
4. A8020.4.0053 (Planning – Comprehensive Plan Reserve) in the amount of \$6,740.00 for 2030 Comprehensive Plan Update; and
5. DA5130.2 (Machinery - Equipment) in the amount of \$32,500.00 for Chevy Silverado 2500HD; and
6. DA5130.2 (Machinery - Equipment) in the amount of \$265,000.00 for truck cab, chassis and plow package; and
7. SD8540.2 (Drainage - Equipment) in the amount of \$50,000.00 for a 2022 Chevrolet 3500 cab with dump.

Councilman DeCory – Aye
Councilman Slattery – Aye
Councilwoman Sperr – Aye
Councilman Valerio – Aye
Supervisor Dunning - Aye

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RESOLUTION #271 RE: Transfer to Reserves

OFFERED BY: Councilman Slattery SECONDED BY: Councilman DeCory

WHEREAS, the Capital Reserve for Administration Facilities was established by October 18, 2000, Resolution # 356; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue budget A1115 (Towns Share of Sales Tax) by an increase of \$300,000.00, amend expense budget A9901.9 (Interfund Transfers) by an increase of \$300,000.00; and

BE IT FURTHER RESOLVED, to transfer \$300,000.00 to the Capital Reserve for Administration Facilities.

Councilman DeCory – Aye
Councilman Slattery – Aye
Councilwoman Sperr – Aye
Councilman Valerio – Aye
Supervisor Dunning - Aye

The next meeting of the Chili Town Board, which is the Organizational Meeting is scheduled for Monday, January 3, 2022 at 5:00 p.m. in the Chili Town Hall Main Meeting Room. No public comment will be taken at this meeting.

The next regular meeting of the Chili Town Board will be on Wednesday, January 12, 2022 at 7:00 p.m. in the Chili Town Hall Main Meeting Room.

SUPERVISOR DUNNING: Happy New Year Everybody.

The meeting was adjourned at 12:15 p.m.

Steno by Dawn Forte
Minutes by Virginia Ignatowski, Town Clerk
