

CHILI TOWN BOARD
December 15, 2021

A regular meeting of the Chili Town Board was held on December 15, 2021 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 David Dunning.

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

ALSO PRESENT: Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; Virginia Ignatowski, Town Clerk; Daniel Knapp, Director of Finance; David Lindsay, Commissioner of Public Works/Highway Superintendent; Councilman Slattery, Deputy Town Supervisor; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Virginia Ignatowski.

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

THE DAILY RECORD

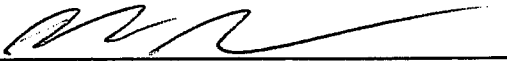
AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK
County of Monroe, ss.:

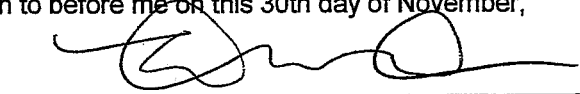
Order #: 12056793
Case #:

The undersigned is the authorized designee of Ben Jacobs/Associate Publisher of The Daily Record, a daily newspaper published in Rochester, New York. A notice was published in said newspaper one times, commencing on 11/30/2021 and ending on 11/30/2021. The text of the notice as published in said newspaper is as set forth below, or in the annexed exhibit. This newspaper has been designated by the Clerk of Monroe County for this purpose.

Sworn to before me on this 30th day of November, 2021



Ben Jacobs
Authorized Designee



Notary Public, State of New York

NOTICE OF PUBLIC HEARING

FOR LOCAL LAW TO PROHIBIT THE ESTABLISHMENT OF CANNABIS RETAIL DISPENSARIES AND ONSITE CANNABIS CONSUMPTION SITES IN THE TOWN OF CHILI

PLEASE TAKE NOTICE, that a Local Law has been introduced to the Town Board of the Town of Chili, New York, on the 10th day of November, 2021, designated Local Law Introductory No. _____, 2021 for prohibiting the establishment of cannabis retail dispensaries and onsite cannabis consumption sites in the Town of Chili.

PLEASE TAKE FURTHER NOTICE that a Public Hearing upon said Local Law No. _____, 2021 has been scheduled for the 15th day of December 2021, at 7:00 P.M., to be held by the Chili Town Board at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624. An opportunity to be heard in regard thereto will then and there be given. Written comments may also be directed to the Chili Town Clerk, Town Hall, 3333 Chili Avenue, Rochester, New York 14624, on or before 4:30 P.M. on the 15th day of December 2021. If special accommodations are required for the meeting, please notify the Chili Town Clerk by December 13, 2021.
Virginia L. Ignatowski, Town Clerk

LOUIS PAUL NAU
Notary Public, State of New York
Monroe County Reg. #01NA6046806
Commission Expires 08/21/2022

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on December 15, 2021 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss 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.

Attendance as previously noted in the 12/15/21 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

KATHY KOSTARELLIS, 60 West Forest Drive

MS. KOSTARELLIS: Hello. I just wanted to get my notes here for a minute, please. Good evening. My name is Kathy Kostarellis and I have lived in this Town all my life.

I am here to represent the people and I want to come in opposition and ask that you would vote against this. This is something very concerning to us in Chili.

This -- first of all, I have done some research in really looking at some of the health problems with marijuana. And first of all, I want to say that people who are smoking marijuana, although there may be some medical benefits to it, people that are smoking it are 50 percent more likely to get cancer because of benzoprene, which is in the smoke, and 75 percent more likely to get cancer because of benzanthracene. A little hard to pronounce. So that is in the cigarette smoke also. But it's in the marijuana also and because of that, it's more dangerous. And also contains phenols, vinyl chlorides and nitrosamines.

So it is a concern for health. And also young people. I -- I was speaking on Monday night in Churchville about this. We have two children in our family that are scholarship recipients in different states and runners. If they were to use marijuana, they would never be able to accomplish what they have accomplished. They are excellent athletes. Very thankful they're very -- academically they have done very well and they're runners and very good athletes. If they were to smoke pot, they would not be able to perform and do what they have done.

So I have concern for other young people. I have concern that they will be very non-productive.

There is a lot of areas where there is loitering, more crime rates. This has been proven. So why would we want to set this example for our children here in the Town? I told my children. I said, "I'm going there to speak and I want to stand for you guys, for our children." Okay?

And we, the people, here, we are the people that want to stand against this and we need to be able to do that. We have a Constitution and we want to uphold the Constitution, okay?

So again, that -- you know, why should we have our children to see this example and -- you know, what are they going to say? What are they going to say to us? So I am really standing against this. I'm asking that you would also -- you would also do the same and vote against this.

SUPERVISOR DUNNING: Thank you.

Just for point of clarity, I just want to make sure people also understand. We are not preventing the use of marijuana in the Town of Chili. People can -- people can go -- if someone opts in and there is a dispensary in another Town or Village or somewhere else in the State, they can go and buy it and legally smoke it in the Town of Chili. This does not prevent that from happening.

MS. KOSTARELLIS: But this is for this Town, right? This is for this Town of Chili.

SUPERVISOR DUNNING: It's for dispensaries and lounges. So you can't open a -- you couldn't -- if this gets adopted, this Local Law, you could not open a dispensary. You can't sell it. You can't have a store that sells pot. But your -- I'm sorry -- your kids or whomever, anybody in this room -- well, anybody -- most -- could still buy it somewhere else and smoke it in Chili and we can't prevent that.

MS. KOSTARELLIS: I understand that. But I'm saying for the Town of Chili we're concerned here that this would be a detriment to people and having their possible break-ins in the area, more crime rates and that kind of thing. So we don't want it here in our Town.

COUNCILWOMAN SPERR: I just want to clarify a little further. The Local Law we're discussing tonight is to prohibit the establishment of that. So if you're in support of us prohibiting it, that -- that's what we need to hear. If you say no, you don't want it, are you telling me you want me to vote for this resolution or against? It --

MS. KOSTARELLIS: Voting against it means we don't want it here in our Town?

MS. PARSONS: Do you want them to adopt this law tonight?

MS. KOSTARELLIS: No.

MS. PARSONS: Law is to opt out.

COUNCILWOMAN SPERR: The law is to opt out.

MS. KOSTARELLIS: Opt out.

MS. PARSONS: She is for your law.

COUNCILWOMAN SPERR: So you're in support of us voting to opt out.

MS. KOSTARELLIS: When we were there Monday night in Churchville, we were saying we wanted them to oppose it. Is that the same language?

MS. PARSONS: No.

SUPERVISOR DUNNING: The Local Law that -- I think what Mary (Sperr) is trying to say, this Local Law says that -- it opposes having a dispensary or a lounge in the Town of Chili. It opposes it. So I think what Mary (Sperr) is asking -- I believe --

MS. PARSONS: She is in support of this law, which is the same with Churchville.

SUPERVISOR DUNNING: Okay. We're clear. We're good.

COUNCILWOMAN SPERR: I just want to make sure everyone else is clear and doesn't make the same mistake.

SUPERVISOR DUNNING: We are also doing this live on YouTube and I would like to make sure we're interjecting some of the questions that are coming. There is about a 30-second delay so whatever we say right now, they will hear in about 30 seconds from now. There may be some other things.

SHANNON WAYNE

SUPERVISOR DUNNING: I do have a comment from a Shannon Wayne. I don't have an address on her. The comment is: "Recreational and medical marijuana is already legal in New York State just like liquor and alcohol."

I don't know if this is in support or option. She continues: "It is not up to Chili to regulate C-H" -- I'm sorry. "Choice."

To regulate choice. Fair comment.

COUNCILMAN SLATTERY: Reading that comment then, in New York State it is legal. What about the federal government? Is it legal --

SUPERVISOR DUNNING: It's not.

COUNCILMAN SLATTERY: Not legal in the federal government. So the men and women that serve in our military, they cannot partake in this activity?

SUPERVISOR DUNNING: That's a great question.

COUNCILMAN SLATTERY: No, I -- I -- they can't. Yeah. Just want to throw that one out. You talk about the State, but talking about it on a federal level.

SUPERVISOR DUNNING: Please, name and address for the record, please.

JASON MATTHEWS, 13 Watchman Court

MR. MATTHEWS: Jason Matthews, 13 Watchman Court.

I just wanted to address the previous concerns. Pot is not only consumed by smoking. There is actually huge benefits to many people with health issues. People will continue to use marijuana regardless if it is allowed here in dispensaries. That means that other towns that are opting in will have people go there to those towns and spend money and buy pot and buy groceries at Wegmans and buy whatever it might be while they're out there, including gas. If we're okay with that, we're okay with having folks spend ALL their money elsewhere -- because they're going to do it whether we have it here or not -- then by all means opt out.

But opting in will help retain businesses to our area.

SUPERVISOR DUNNING: Thank you.

One of the other things that I don't know that everybody is clear on, too, with an opt in/opt out. We certainly have -- I'm hearing right now -- not just here, but through some of the emails and some of the other posts I've seen on social media, this is about a 50/50 opt in/opt out thing. This will not be an easy decision for us to make.

But I will make one point that is important for us to understand if you don't already. If we don't opt out now, we can never opt out. If we opt out now, we can always opt back in at another point in time. The New York State is not anticipating giving any licenses until 2023.

The laws surrounding -- as a matter of fact, I spoke earlier, late last week to the Office of Cannabis Control that was newly created in just this past October. They haven't had a whole lot of time to get up to speed and understand what their roles and responsibilities are with some of the laws and regulations around it, so there are some things that we also have to consider in this. But I just want to make sure people understood, this is not a permanent thing. If we do opt out, we cannot back in and take advantage of whatever minimal sales taxes really come out of it which is -- what we have seen, fairly minimal for small towns like ourselves.

BRENDA BISCHOPING, 972 Paul Road

MS. BISCHOPING: Hello. Brenda Bischooping, 972 Paul Road. I did speak last time, but I have additional things that I wanted to talk about.

Bringing people to spend money perhaps, but at what cost? As we know, that marijuana is now legal in our State, but fortunately, you, the Chili Town Board, and we, the people, have some input as to

how much we will allow the negative and often tragic effects of marijuana dispensaries and lounges to influence our Town.

I can understand people who use marijuana medicinally for pain control or to reduce side effects of chemotherapy in the safety of their homes. Recreational use in a lounge is an entirely different story.

On personal level, I hate marijuana. I don't want to smell it in a lounge when I go shopping in Chili. I certainly don't want stoned drivers putting us in danger on our streets.

Some compare cigar lounges to marijuana lounges. Cigars don't alter your mind or your behavior. People smoke pot to get high. If people make a decision to get high and put their mind in a state where they are exposing themselves to making bad decisions, they could endanger those around them. They can stay home.

We can agree that impaired drivers who kill others while driving under the influence is indeed a tragedy. I personally met families who have suffered these devastating losses and heard their stories. Maybe you have, too. But I can assure you the pain and agony these families endure is not something you ever forget. I don't want to see anyone in my community go through that.

The CRA, or Collisions Repairs Association, a trusted source for monitoring -- for motoring information, submitted an article entitled "Legalization of marijuana and its impact on transportation." Washington legalized marijuana in December of 2012. This article explains that according to the AAA Foundation for Traffic Safety, in 2008, 8.6 percent of Washington drivers in fatal crashes were THC positive. The numbers significantly increased and more than doubled to 21.4 percent by the year 2017.

Here is some portions from another article I found in the May/June 2019 addition of Missouri Medicine by David G. Evans. Quote, "The marijuana products of today are high potency and can reach 99 percent pure THC. The THC in marijuana causes a high and leads to addiction, mental illness, violence, crime, traffic deaths and many health and social problems. Research linking marijuana to psychosis and schizophrenia and acts of violence is uniformly ignored by the proponents of marijuana use. Recognize that high-potency marijuana is a predictable and preventable cause of tragic, violent consequences," unquote. Consequences we don't want to see here in Chili.

Some may see a potential for profit, but at what cost? The same article said the National Sheriff's Association and the National District Attorneys Association have noted that states that legalize marijuana have been unable to control the black market for the drug.

Wouldn't black market sellers want to come here and give these dispensaries a little competition and get some of the profit? Wouldn't that expose our Chili youth to easier access? Would the dispensaries themselves be a target for crime?

I stand before you tonight and I urge you to opt out. We have an opportunity to influence the safety of Chili residents and that should be our top priority.

Thank you.

SUPERVISOR DUNNING: Thank you.

Before you -- Sandy (Hewlett), did you get the name and address on that?

SANDRA HEWLETT: Bischooping, yes.

SUPERVISOR DUNNING: You did get it. Okay. Just wanted to make sure.

NICK VATALARO, 970 Paul Road

MR. VATALARO: Good evening. I'm Nick Vatalaro, 970 Paul Road.

I would simply like to offer my support for opting out of this resolution. I agree 100 percent with what has already been said and I hope you would vote against this.

Thank you.

SUPERVISOR DUNNING: You mean for it?

MR. VATALARO for it.

SUPERVISOR DUNNING: That's okay. We'll -- we'll all get an understanding. We're good.

Anyone else like to speak?

MATT HAYWOOD, 2027 Westside Drive

MR. HAYWOOD: Matt Haywood, 2027 Westside Drive. I'm here to voice in support of opting in. I don't know all of the details about dispensaries or any of that stuff, but what I can offer you is some scientific facts about this stuff.

When you're looking at data that correlates to the amount of marijuana into a population by like drug tests or piss tests like the accident rate that was mentioned earlier -- if you legalize it, people are going to use it. That drug stays in your system for a month if you use it once. You're not intoxicated at that point in time, for a month. It's not I took a hit and I'm high for three weeks. It just doesn't work that way. So when you pee in a cup later on, yeah, it will go up because they legalized it in the area. It is just the basis -- the -- the base is going up for that.

And so I -- I feel like a lot of this -- against this opting out thing is because of fear and stigmata. I -- I just find it ridiculous. It's not a crime. It's no different than a bar. It's no different than a liquor store. Instead of alcohol, it's another medium. It's marijuana, a plant that has been growing around forever. They call it weed because it grows everywhere. Why do you think they call it that? Come on. It's nothing

-- no different than any other thing in our system as far as society goes, that you have to know how to have self-control and regulation. Self-regulations. You know.

And that's just my piece for opting in. It's not like we give up control, too, when you opt in. From what I understood, you could lay out the laws you want. You could just have dispensaries instead of consumption places. You could have consumption instead of dispensaries. You still have full control.

Opting out, you don't have any control. You've given up everything about it saying "I'm not going near it."

It's a potential for a small Town business and tax revenue. Large or small, any little bit helps doesn't it? As far as budget goes, don't you always want to have a bigger budget to work with?

SUPERVISOR DUNNING: Well, a bigger budget -- we like to have our budget pretty stable but having more revenue is always a good thing.

MR. HAYWOOD: I don't know all of the terminology of Town Boards. I'm an engineer.

COUNCILMAN SLATTERY: Before you step away, I got one question that I want to refer to maybe our Highway Superintendent. You said if you go and get tested, it's in your system for a month later. Mr. Lindsay is our Commissioner of Public Works and Superintendent of Highways.

Our drivers get tested now -- if this is in their system, how is that being tested? What percentage then are they looking for? We have our truck drivers out plowing our roads or driving all asphalt with these large dump trucks. How -- they're being tested for that, are they or are they not?

DAVID LINDSAY: They're covered under the federal Highway Law, so they're not allowed to have it in their system.

COUNCILMAN SLATTERY: Our drivers are not allowed to have it in their systems. Okay. Thank you.

I just didn't -- because you mentioned peeing in a cup and talked about being tested.

MR. HAYWOOD: If you want a security clearance for a job and you were in engineering or -- or you got some government contract and -- you have to wait out for a month to do anything because you have to wait for a piss test.

COUNCILMAN SLATTERY: That's not necessarily true, because if you're looking at the hiring problem that they're having now --

MR. HAYWOOD: Now is a different story.

COUNCILMAN SLATTERY: I just saw a company -- a very large company nationwide is now eliminating drug testing. So I thought wow, that is pretty aggressive because they can't find employees. I -- on that point that you made. So thank you both.

SUPERVISOR DUNNING: Thank you. Just going -- I have another comment from the same person, Shannon Wayne: "Maybe opting out of lounges but opting in for dispensary is good. Compromise. It's here now. People smoke now. Opting out just means Chili loses out of any tax revenue."

But I will say because the way that this Local Law is drafted -- and, Counsel, correct me if I am wrong -- that that would require a new law be drafted. I don't think we can modify this law which means we would have to have another Public Hearing, which there would be -- like impossible to meet the deadline we have to meet to make a decision, which is the end of this month.

So to -- Ms. Wayne or Mr. Wayne -- I'm not sure if that is a guy or girl -- so sorry -- Shannon Wayne, that -- that that is not an option right now. Our Local Law is drafted to prevent both, to opt out of both. I'm sorry.

ED BRYANT, 27 Cross Bow Drive

MR. BRYANT: Good evening. My name is Ed Bryant, 27 Cross Bow Drive in Chili. And I just -- my comments are very brief. I -- I'm in support of the Town of Chili opting out of this, the cannabis retail dispensaries and on-site consumption sites and any further places that would have -- involve intoxicants or carcinogens and other things that are detrimental to the health and safety of the people of Chili.

And I'm strongly opposed to all of the comments that this man -- had been made because I don't think -- they're not true. But that is my statement. I strongly support opting out.

Thank you very much.

SUPERVISOR DUNNING: Thank you.

GINA COYNE, 72 Creekview Drive

MS. COYNE: Good evening, everybody. Thank you for hearing us. I am in full support of you opting out.

SUPERVISOR DUNNING: Could I have that name and address, please, for the record?

MS. COYNE: Yes. My name is Gina Coyne and I live at 72 Creek View Drive in Chili.

So I'm very strong to support you to please opt out of this. I don't feel there is a need for us to have dispensaries and lounges in our Town. If people want to smoke marijuana, that's their decision and that's their choice, but I would like to see our Town remain safe and I would like to see this -- you to opt out of this for the people of the Town, please.

Thank you.

SUPERVISOR DUNNING: Thank you.

HELEN MARTIN, 17 Gary Hill Drive

MS. MARTIN: Good evening, folks. I'm Helen Martin. I live at 17 Gary Hill Drive and I am for you opting out very much. I raised 4 children here, 11 grandchildren and now I have 13 great grandchildren here –

COUNCILMAN SLATTERY: Got bless you.

MS. MARTIN: -- that are being raised.

I moved from Philadelphia 40-some years ago. Generations of Philadelphians. I lived somewhere between Philadelphia and Port Royal. If you remember the Battle of Port Royal, when we played in our yard, we dug up cannonballs.

COUNCILMAN SLATTERY: David (Dunning) remembers that.

MS. MARTIN: Very much we're keeping Chili -- the Chili that I came to years ago, it's been a wonderful place to raise kids and to have family.

I have worked with youth groups. My husband and I worked with youth groups in Chili in the local churches for a lot of years. We did high school groups. We did college groups at our home and through the church. It's always been a wonderful place.

I don't want to see us resort to marijuana dispensing and marijuana lounges. I think it's a detriment to our society. I think there is many harmful chemicals in marijuana.

I understand if people -- what they do in their home, that's up to them. That's their personal and private business, but there is many chemicals in marijuana. There's a chemical called Tetrahydrocannabinol -- whatever they call THC, which is a very, very -- it can affect the brain and molecules in the brain.

There is also another syndrome called hyperemesis syndrome. CHS. It produces nausea, vomiting, extreme stomach pain and it's also a very harmful substance.

I mean I -- I'm also very concerned because it is a gateway drug to stronger drugs. It's -- it's a psychoactive chemical and can cause hallucinations, changes in the brain of adolescents.

There is a higher risk of developing schizophrenia and there is immune problems found in the placentas of pregnant women.

There is a book written by Alex Berenson called The Truth About Marijuana, Mental Illness and Violence and it's -- it's a book written by Alex Berenson -- B-E-R-E-N-S-O-N, and it's -- you know, to tell your children about.

But again, I love Chili. I love Rochester. It was very hard for me to leave Philadelphia and the Jersey Shores, but I had the promise of Lake Ontario -- of which I have traveled far and wide on Lake Ontario in boating.

So again, I would like you to keep our community healthy and whole.

SUPERVISOR DUNNING: Thank you. There is -- I'm going to scroll up.

We have another comment here. I don't know if this is actually the name. Pablo Bonus or "Bonas." Lives on Charmaine Road.

PABLO BONUS, Charmaine Road

"We should vote against this much. As said before, we should have dispensaries and lounges. We would keep business in Chili and keep tax dollars in Chili. I live on Charmaine Road."

SUPERVISOR DUNNING: There is also a comment from Shawna Lusk who lives at 18 White Birch.

SHAWNA LUSK, 18 White Birch

"There is no difference between liquor stores and dispensaries. Both are legal substances."

SUPERVISOR DUNNING: So I'm going back one more with Pablo.

"Marijuana has many positives for medical uses. It helps out mental illness and ADHD and depression. Not having a dispensary in Chili would bring crime. People would buy it from local dealers."

SUPERVISOR DUNNING: Again, the same person.

"Non-doctors are becoming doctors against marijuana and marijuana is not a gateway drug. Alcohol has more negatives than marijuana does."

SUPERVISOR DUNNING: And I'll go back again to Shawna Lusk, which appears the last one I have right here online.

"Alcohol is a toxin. Everything that has been listed is an example for why we -- why we shouldn't allow dispensaries is equally more -- more present with alcohol overuse."

SUPERVISOR DUNNING: So those are their comments.

Anyone else here that would like to speak at the Public Hearing?

ED MIKOLON, 9 Pinewood Knoll

MR. MIKOLON: My name is Ed Mikolon, 9 Pinewood Knoll. Just got back from visiting my sister in Denver. I don't have any numbers or facts other than what she told me. She has been living there for - I don't know -- 30 years. 35 years.

She said after they legalized pot there, more -- and more even recently, the number of -- the crime number has been skyrocketing. And lately there has been a lot more car accidents. And they attribute a lot of it -- with blood tests and things that the marijuana is a contributing factor in a lot of the increase in crime and in accidents.

Also, I -- I am supporting your resolution in that granted people have mentioned alcohol being -- liquor stores and everything. But in Colorado where my sister lives, they said when they did that, that's when more accidents happened and the crime went up. So it's an increase.

So it's anecdotal. I don't have any facts or numbers, but from someone who lived there, she is telling me that. So...

SUPERVISOR DUNNING: Thank you.

JEFF BISCHOPING, 972 Paul Road

MR. BISCHOPING: Jeff Bischooping, 972 Paul Road. I just want to touch on something that David (Dunning) said about us not being able to opt out of this later. It seems to me that in our State, in our infinite wisdom, they made up a new law and they're still writing legislation on how it is all going to fall out. But you're automatically in. It doesn't sound like a good bet to me. Opt out, find out what the rules are, what the regulations are, what the effects are and then if it is determined that I'm wrong and other people in this room are wrong, then you have a chance of opting in. It sounds like a no-brainer to me; find out what the rules are before you play the game.

SUPERVISOR DUNNING: Thank you.

MARLA PARSONS, 174 Burnt Mill Road, Churchville

MS. PARSONS: Hello. My name is Marla Parsons. I live at 174 Burnt Mill Road in Churchville. I'm here because I am in Chili all the time.

I do at least 80 percent of my shopping in the Town of Chili. I do all my banking in Chili. My kids go to the Community Center and have them involved in programs at the -- well, now the new Community Center. We spend over \$1400 of our Churchville dollars at your Community Center because of these programs my kids are in every month and have been for about eight years.

We do most of our dining in the Town of Chili between Chili Center and North Chili. We're in Chili all of the time.

Library. Your library is my main library. Don't tell them in Riga. I do go there, too.

SUPERVISOR DUNNING: I will see Brad (O'Brocta) on Friday night. I will let him --

MS. PARSONS: I know Brad (O'Brocta). He knows. Chili is a much bigger area.

I certainly spend a lot of money in Churchville, but besides my taxes and going to Stones and the deli and A&G, those places, Chili is our go-to place for many, many things. So I just want you to know that. As someone not a resident, I have a very vested interest in what happens with Chili.

My kids are at the Community Center. We're at Bill Gray's all of the time. Taco Bell. Just everywhere. Get my paint here at Sherwin-Williams. We're here a lot. Just because I'm not a resident, please don't discount what I'm going to say.

We have been involved in the public meetings in Ogden and Churchville for a month and a half, two months. Been to so many meetings.

Honestly, it's an unfair position that you have all been put in because New York State threw this through in the middle of the night, as many other laws that have just been pushed through without any Public Hearing and we're just all automatically opted in. Unfortunately, as residents, none of us knew this. You may have known this months ago. None of us knew it. I only knew it because Mayor Hartman put out in the Village newsletter -- unfortunately, it came out in mid-October about this. We had no idea there was an opportunity for the community to say, "Hey, we want to opt out."

Nobody knew this. The municipalities -- I don't know when you all knew about it, but we didn't. We're all just finding out about it. That's why it's unfortunate that the State didn't put this out sooner so these discussions could start sooner.

There is obviously opposition here. It's America. And as of right now, we still have a right to voice our opinions, which I'm grateful for our Constitution.

But the Town of Ogden -- excuse me -- they just opted out. But the Town of Gates was the first one locally to opt out back in the end of September. Since then the Town of Ogden has opted out. The Town of Riga has opted out. The Village of Churchville has a law that Monday -- they're upholding -- there is just some other legalities for 30 days and so forth.

But as it has been stated, if we do not opt out by December 31st, you can never opt out. So -- so as Gates said, it's prudent right now, until we find out what the laws are going to be and what the rules are going to be, what the jurisdiction is going to be, how it is going to be managed, the police and so forth. It's only prudent to opt out of both at this time and you can always revisit it once you know more information.

And Gates also said let's see how the Towns that decided to opt in -- what happens there. Is the crime rate going up? What is going to happen to their Town?

Now at all these numerous meetings at Churchville and Riga there were numerous police officers and former police officers that spoke. I can think of at least three. And one thing that they said -- they said many things -- but they did say that if you have a lounge or a dispensary in your Town or -- or municipality, what is going to happen is say the legal marijuana is going to be sold at say \$50 an ounce. They said all of the drug dealers on the corners in Rochester that are all fighting for their corner are going to come to your Town and set up shop because you have to be over 21 to purchase it and it's going to be expensive. So now there is a market per se. They don't care if they sell to kids or teenagers, what have you. Maybe they will sell it for \$5 an ounce.

So you are just going to be potentially bringing in more problems. This is the police officer saying this. So it something to think about.

There is also a lot of problems with marijuana being laced with -- in this black market marijuana -- which the kids are going to be thinking it is the real stuff -- being laced with fentanyl. A lot of people are dying. It is kind of a cross-contamination -- is what I was told -- when they're making it and they're sticking it in there because it gives you a quick high.

Now I will just share it personally. I grew up in a household where my father smoked marijuana. As a young girl, from age 10 until I could drive, once I realized what was going on, I asked my dad to stop smoking it. He would be smoking it home. His friends would be around watching football games.

I would be in the car with him. My dad would never take major highways. He would always take the back roads and he'd drive slow. That is because he was trying not to be seen because he was not driving as well as those that were not under the influence. So for people to say it's the same as this that and the other, I saw it personally. He would weave over the lines. I have had times where he got pulled over by a police officer and he throws a bag of pot at me to throw in my book bag so in case he was searched -- they're not going to search my book bag. I'm a kid. I don't know, you know? So I just do it. So it's just wrong. And that's my dad's judgement. I'm not saying that is everybody.

But the point is, he had gotten pulled over a number of times under the influence of marijuana. It did -- it did -- his judgement wasn't always there and his driving wasn't crisp. So I've seen it. I know it. Nobody is going to convince me that it doesn't alter you. In addition -- and I know it's already legal -- my dad's memory is shot. He is 77 years old. He forgot my birthday. He forgot my birthday last month. Took him five days to remember that he missed my birthday. Just stupid stuff like that, but his memory has been terrible for as long as I can remember. It does kill brain cells.

That is everyone's decision. Unfortunately, New York has passed it.

I just ask for you to please decide to pass these two laws. This is a very big community with children. There are so many schools here. We have got Churchville-Chili, Gates-Chili. We have so many elementary schools. You have Florence Brasser up here. You have the Paul School down the road. There's a lot of kids in the community. We don't need to bring more trouble here.

So I do ask you to please pass these two laws this evening so we opt out of both dispensaries and the on-site lounges.

Thank you very much.

SUPERVISOR DUNNING: Thank you. I do have -- and thank you for recognizing the difficult decision that we have to go here with the little bit of information that we have been provided by New York State.

And quite honestly, I have known for a while, probably back in the August, September time frame what some of this was going to be. We're probably late to the game. I wanted to see what other Towns -- how they were reacting and what their responses might be. I do know there are Towns -- Brighton and Irondequoit, I believe, have both opted in.

COUNCILWOMAN SPERR: City. Seneca Falls.

SUPERVISOR DUNNING: City of Rochester.

One of the things that does concern me, though -- and your comments were great, thank you. As they all have been.

You know, kids are still going to buy it. They're going to go to Brighton. They're going to go to Irondequoit. They're going to go to Brockport. They're going to go to the City of Rochester and buy it and bring it back to Chili. That is going to happen. No one here is -- none of us are ever going to be able to prevent that. But that is the way it is -- for those towns, the areas that I know that have already said they have opted in.

I do have a comment. I'm not sure. Daniel (Autovino), if you -- when you hear me, call out your name, if you could please provide us with your address, I would appreciate it, but I will read your comment. Daniel Autovino. And he's --

DANIEL AUTOVINO

"Referenced by the Cato Institute, new research finds strong claims made by both advocates and critics of State-level marijuana legalization are substantially overstated and in some cases entirely without real world support. Many facts I am hearing here are not -- are not actual factual but very anecdotal. But I do know people here in Chili are going to buy marijuana either way if we opt out. You're making these individuals drive out of Town to buy and smoke marijuana."

COUNCILMAN SLATTERY: David (Dunning), if I can –

Multiple members of the audience stated they already do this.

SUPERVISOR DUNNING: I'm just reading someone else's comments, okay? I'm reading these into the record because this is a Public Hearing. So everybody is entitled to their opinion and we're going to let everybody speak and say their opinion.

COUNCILMAN SLATTERY: David (Dunning), just a little bit more in regards to when it came out and why we're talking about it now.

Also, if you follow it through the media, the State has a Committee that is together and I think they have met one time and they're still trying to figure out what they're going to be doing. And so another reason we waited was to see if the State came out with more information that would help us.

But as people mentioned about the State, there was also an article in the December 11th, Democrat & Chronicle where they talked about the State Fair alters its smoking policy for the 2022 edition of the State Fair. Because the people were complaining about the marijuana smoke with families going to the State Fair. So now the State Fair is altering what they're doing.

So we're trying to get as much information that we can, as well. And so sure, it may have been out there for a couple of months. We're looking for information. Because, you know, when we have to vote on something, so we want as much information as we can get. So we want to make an educated, you know, decision here for our residents.

MR. BISCHOPING: Would you buy a new house or a new car without knowing the price or the condition of the house? That is what it is sounds like the State is asking you to do, to buy this new law without knowing any of the rules.

COUNCILMAN SLATTERY: Just for the record, Mr. Bischooping -- those comments were from him. Because there is a stenographer.

GINA MIKOLON, 9 Pinewood Knoll

MS. MIKOLON: My name is Gina Mikolon. I live at 9 Pinewood Knoll. And just thinking about the statement that, "Well, if we can't buy it here, we'll go somewhere else and buy it."

"Bye."

I like to do crafting. I can't buy my crafting materials here. I go elsewhere and buy it, but what I can buy here, I buy here. We moved here because we wanted a nice, conservative Town to live in and I want Chili to remain that way.

I am presently counseling my relative who started who on marijuana years ago and I can't -- I can't divulge everything. Of course, I'm not going to tell you her name, but one thing led to another and that was one beautiful, book-smart girl that got messed up. I'm not saying that's everybody that smokes marijuana -- that happens to, but why take the chance? Why make it available? Why should we -- why should we make it available?

If they go somewhere else and another Town opts to have these things there, that is on that Town. But why do you want that on your head and in your heart that you made it available to ruin somebody's life?

So thank you.

SUPERVISOR DUNNING: Thank you.

MS. KOSTARELLIS: First woman. Kathy Kostarellis, 60 West Forest Drive.

So someone made the comparison of the alcohol -- the liquor store versus the dispensary and the lounge. At a liquor store -- I understand you don't go into a lounge at a liquor store. You don't actually go consume the product. You actually go and buy it and bring it home.

So why would we allow this -- and based on what everybody is saying here, why would we want to allow ourselves to have somebody in a situation where they're buying it, sitting smoking it, getting intoxicated and then as we were talk -- she was talking very good stated facts about how her dad was under the influence driving and getting -- risking accidents. Because this is very factual information and this happens all of the time. So why would we want to have a lounge where it is bought, consumed and then people are open to get into accidents. More accidents. More crime. Once again, I think it's a very bad idea.

Thank you.

SUPERVISOR DUNNING: Thank you.

STEPHANIE BROWN, 139 Fenton Road

MS. BROWN: Hello. My name is Stephanie Brown. 139 Fenton Road.

I think things have been covered pretty well, but one thing I haven't heard unless I missed it, there's been references made to the differences between alcohol and marijuana and alcohol is often not a good thing. It is a toxin. Bad things come from people using alcohol, too. But the difference between bars and liquor stores and what we're looking at adding is the fact that these things have been around for a long time and they have been part of society for a long time and they're at least known variables and known quantities.

I think it would be best for the Town to opt out at this point because we don't know what the rules are, which has been pointed out.

Many of the municipalities around us are opting out. And frankly, the only time I ever smell it currently is when walking through a parking lot or when I'm walking down the street with my dog, walking my dog, and a car drives by. People are using it. They are using it in their cars and I don't think as a Town we need to do anything else that might encourage that.

I think it would be best -- this is a novel thing that is coming and alcohol has been around a long time. It's not novel. So this is new. I think it would be best for the Town if we saw how things go for a while and if at some point in the future we want to add it in, we can. But we don't have to.

I think it would just be silly to also argue from a financial standpoint out of the money we'll get. I don't think we know how much money we would get from it. We would certainly be creating a situation that might be more a risk to citizens.

Like I said, people are already driving and using at the same time or their passengers are. That's illegal. You can't do that. So there is really no gray area on if it is good for you, if it is bad for you. It doesn't matter. The fact of the matter is, you can't smoke weed and drive your car. I think if we were to add these types of facilities here, it would just encourage that or it would allow the potential for that problem to possibly get worse and I would really hate to see more accidents.

We can't even pull out on Chili Avenue as it is. I don't think we need to make it worse anywhere else. That is all I have to say.

Thank you.

SUPERVISOR DUNNING: As -- as some of you have been speaking, there have been several comments that have come in. I will say that these comments are more trying to debate some of the things that are here. There is nothing that I see -- you also see some of these comments, the Council, and see if you concur. This is not here for a debate. This is here to listen to people talk about their comments.

So I am not going to share everything that has been put in here on these comments. So I apologize to those who are watching this on our YouTube live feed, but again, these -- they're not new comments and we're not here to debate the issue.

We're here to listen to what you have to say. I would ask if you have anything further -- those people here and there, if you have anything further you would like to add, we're certainly here to listen.

Is there anyone else that would like to speak at the Public Hearing?

Seeing none, I'm going to just wait about 30 seconds because of the delay that's on the YouTube live channel here to make sure there is no one else here on the chat that has anything new that they would like to add or say as it relates to this Public Hearing.

COUNCILMAN SLATTERY: David (Dunning) -- I just want to say, in case you leave after this, just want to wish everybody a happy holiday, be safe and enjoy the time you may be spending with family or friends. Thank you for coming out tonight, as well.

SUPERVISOR DUNNING: I do want to add one other thing that I learned, in my conversation with the Office of Cannabis Control. That there is a thing called a "micro business," which was a very -- I don't know if you seen this or you have heard of this, but I was very alarmed by this "micro business" definition.

What a micro business is, is a grower of a small scale. A small scale business that can grow and sell retail the product that they're growing. We are not and cannot opt out of that. We cannot prevent that through normal channels. We would have to create regulations, zoning laws, things like that to be able to manage that. We will work with that any ways in the coming months because it's likely we're going to have to have some type of legislation on the books for -- for -- for cannabis in some way, shape or form.

But this micro business could still happen out of our control. So just -- it's another thing out there, just -- just a tidbit of something I learned. So we could still have a retail business, even if we opt out.

So -- again, I will go back -- I'm not seeing anything else or any other comments on the YouTube live. I will give it one more shot. Anybody here have anything else they would like to say at the Public Hearing?

Seeing none, I will close the Public Hearing and I will move on to the rest of the agenda.

The Public Hearing was closed at 7:49 p.m.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. No speakers addressed the Town Board. The Public Forum concluded at 7:50 p.m.

MATTERS OF THE SUPERVISOR:

SUPERVISOR DUNNING: We had a great tree-lighting ceremony last week, a week ago. Great, great attendance. Awful lot of people there. It was nice to see. Nice to see over at the new Community Center. Everything went very, very well.

I would like to thank David Lindsay and his guys for keeping traffic flowing.

Also, Mike Curley and his staff for putting on just a phenomenal event for us.

Next day we had Breakfast with Santa. That went very well. We had a lot of kids in there, got some good chow. Even a big kid got to eat a pretty good breakfast there, Councilman. Things went very well. I just like to thank all of them for their efforts for that.

Also, we did have a COVID test kit distribution last Saturday. That went very, very well, I think. We -- people got through pretty quickly and were able to get their test kits. We do have test kits left if people are still interested in test kits.

I'm sorry, Dawn (Forte), but if you want to stop in the Town Hall between 9 a.m. and 4 p.m. during the week, we can get you a test kit if you're a Chili resident. They are for residents. If you or your neighbors or your friends in Chili are handicapped or disabled in some way and can't get out -- or are elderly and can't get out, please send me an email. It's pretty simple. Ddunning@townofchili.org. If you send me an email, I will make sure that they get one. So we do have plenty left. We have not set up at this point another distribution, but we do have quite a few left. So I think it was important that people know -- note that.

Other than that, I'm probably missing something, but I will move on to matters of the council.

MATTERS OF THE TOWN COUNCIL:

MR. VALERIO: Just thank you to everyone for coming out today and sharing your views on this issue.

The 11/10/2021 Chili Town Board meeting minutes were approved.

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
Architectural Advisory Committee Minutes – 10/12/2021
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, 11/9/2021
Recreation/Senior Center Report – November 2021
Town Clerk Report – November 2021
Traffic & Safety Minutes – 11/4/2021
Zoning Board Minutes – 10/26/2021

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.

SUPERVISOR DUNNING: There's recent legislation that says that any of the items on our agenda now need to have supporting documentation put on our website 24 hours in advance of this meeting. That has been done. So if you're looking for any of the supporting documentation around any of these resolutions that we pass tonight or propose tonight, they will be including all these reports and everything are on our website and available for public – public viewing.

Did I get that covered pretty well, Ginny (Ignatowski)? Did I -- is there anything I missed or you want to add anything?

VIRGINIA IGNATOWSKI: It's a law that was just recently passed. I do believe it became effective in December. This is the first Town Board meeting it impacted.

SUPERVISOR DUNNING: Excellent.

RESOLUTION #246 RE: Fire and Ambulance Contracts

OFFERED BY: Councilman DeCory

SECONDED BY: Councilman Valerio

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

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

RESOLUTION #247 RE: Penflex Inc. Agreement

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman Sperr

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.

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

RESOLUTION #248 RE: Chili Fire Department Active List

OFFERED BY: Councilman Valerio

SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that the following individual(s) be added to the Chili Fire Department active list effective December 13, 2021:

Skylar Williams

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

RESOLUTION #249 RE: Town Clerk Office

OFFERED BY: Councilwoman Sperr

SECONDED BY: Councilman DeCory

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.

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

VIRGINIA IGNATOWSKI: Roxanne (LoMando) is out there right now. I am really excited about her coming on Board in January. I think she'll be a good fit in our office.
SUPERVISOR DUNNING: Welcome aboard.

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Regarding the Community Center, I know you talked about the event there, but also about the kit give-away. You want to maybe mention how many people that have signed up to be members or joined that Community Center?

SUPERVISOR DUNNING: Oh, new members? We had -- well, we have got 2,000 all together and now -- I smoked marijuana when I was younger. I can't remember. (Laughter.) Sorry. I had to go there, right? I had to go there. It seemed appropriate for the time.

COUNCILMAN SLATTERY: Moving on. So anyway –

SUPERVISOR DUNNING: You don't remember the number either? Did you smoke marijuana as a kid?

I can't remember the number. It was a large amount of people that signed -- that -- during our kit give-away that actually came were introduced to the Community Center for the very, very first time and actually signed up for membership. So it was -- it turned out to be win-win-win for us so it was really good. Which is more revenue for the Town. But any ways.

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

OFFERED BY: Councilman Slattery

SECONDED BY: Councilman DeCory

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).

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

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I would like to, as liaison to the Drainage Committee, thank all of the members of the Committee that have devoted years of their service to the Town on this Committee and thank them because they have done a great job.

They were -- the people that you come to -- as a buffer so they can -- so you can express how you feel or the issues you have and they would help solve those problems.

So recently with the Town Wide Drainage District and some other changes we have made, there was really no need -- there was not a need for them to have the Committee anymore. So some of the people on that Committee in the future will probably move into other areas as they open up. But I wanted to say thank you to everyone that served on that in that capacity.

COUNCILMAN SLATTERY: Supervisor, if I can, that was one of the first committees I joined when I got involved with the Town of Chili. I was on the Drainage Committee. I became Chair of that Committee. So that -- it changed over the years quite a bit.

SUPERVISOR DUNNING: They just couldn't survive without you.

COUNCILMAN SLATTERY: It is not easy being me. Moving on.

SUPERVISOR DUNNING: Any other questions or comments?

RESOLUTION #251 RE: Drainage Committee

OFFERED BY: Councilwoman Sperr

SECONDED BY: Councilman DeCory

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.

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

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

OFFERED BY: Supervisor Dunning

**SECONDED BY: Councilman DeCory
Councilman Slattery
Councilwoman Sperr
Councilman Valerio**

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.

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

VIRGINIA IGNATOWSKI: If I may speak on Mr. Kelly -- I dealt with him a lot. When he came in as Supervisor, the Town was in -- actually a pretty big turmoil. We were known as the "Clown Town."

He really had to right the ship and redirect it. He was a very strong leader. Survived four referendum votes in one year, all which were successful. Very strong leader.

I do appreciate -- at that time I was more of a citizen advocating for extension of public water into South Chili. It was actually my introduction into the whole political life. He -- was always very receptive to any of my questions and I do appreciate all of the effort that he did to -- in the Town.

Like our Town -- this building was built as a result of his efforts at that time.

COUNCILWOMAN SPERR: I can second that. Because I assisted Ginny (Ignatowski) when we were looking for public water out in South Chili and all of us have some reason or something that got us motivated to get involved with the Town. He was great.

COUNCILMAN SLATTERY: Supervisor, I -- I will tell you not only was he a strong leader, but he was also a friend. And knowing him on a personal level and when he -- when he put his heels into something, he was full forward and he was just a great, outstanding person. I just -- I cherish the memories that I have with him. Good people.

COUNCILWOMAN SPERR: Good guy.

SUPERVISOR DUNNING: Thank you.

RESOLUTION #253 RE: Town Court

OFFERED BY: Councilman DeCory

SECONDED BY: Councilman Slattery

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.

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

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

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman Sperr

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.

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

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

OFFERED BY: Councilman Valerio

SECONDED BY: Councilman DeCory

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.

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

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

OFFERED BY: Councilwoman Sperr

SECONDED BY: Councilman Slattery

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.

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

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

OFFERED BY: Councilman DeCory

SECONDED BY:

Councilman Valerio

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.

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

RESOLUTION #258 RE: 2021 Budget Amendments

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman Sperr

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).

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

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

OFFERED BY: Councilman DeCory

SECONDED BY: Councilman Slattery

WHEREAS, bids for the completion of Contract “A”, General Trades were received by the Town Clerk on November 23rd, 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).

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

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

OFFERED BY: Councilwoman Sperr

SECONDED BY: Councilman DeCory

WHEREAS, bids for the completion of Contract “B”, Plumbing and Fire Protection were received by the Town Clerk on November 23rd, 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).

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

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

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman Sperr

WHEREAS, bids for the completion of Contract “C”, Mechanical were received by the Town Clerk on November 23rd, 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).

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

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

OFFERED BY: Councilman Valerio

SECONDED BY: Councilman DeCory

WHEREAS, bids for the completion of Contract “D”, Electrical were received by the Town Clerk on November 23rd, 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).

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

RESOLUTION #263 RE: November 17, 2021 Abstract

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman DeCory

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	<u>506.15</u>
Total Abstract	\$ 102,246.58

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

RESOLUTION #264 RE: December 1, 2021 Abstract

OFFERED BY: Councilman Valerio SECONDED BY: Councilman DeCory

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	<u>14,901.74</u>
Total Abstract	\$ 830,689.22

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

RESOLUTION #265 RE: December 15, 2021 Abstract

OFFERED BY: Councilman Slattery

SECONDED BY: Councilwoman Sperr

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	<u>3,714.97</u>
Total Abstract	\$ 210,438.46

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

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

The meeting was recessed at 8:07 PM.

SUPERVISOR DUNNING: Wish all of you a very Merry Christmas and happy holidays. Safe and hope you all enjoy and we get decent weather throughout so we can enjoy it.

Steno by Sandy Hewlett
Minutes by Virginia Ignatowski; Town Clerk
Virginia Ignatowski