

Chili Town Board Meeting

May 11, 2022

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 **Jared Hirt**

Commissioner of Public Works/Superintendent

Of Highways **David P. Lindsay, P.E.**

Director of Finance **Daniel Knapp**

Insurance Counselor **Scott Bonnewell**

Supervisor's Office **Dawn Forte**

Stenographer **Sandy Hewlett**

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

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

E. Presentations/announcements:

1. Freed Maxick – 2021 Financials.

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

G. Public Forum

The Public Forum is intended to provide an opportunity for people to address the Town Board on any topic. 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 five 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 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 – 4/2/2022

Reports Submitted –

Advanced Payment of Claims – April 2022

Building Department Report – April 2022

Conservation Board Minutes – 3/7/2022, 4/4/2022

Dog Control Reports – March 2022, April 2022

Historic Preservation Board Minutes – 3/14/2022, 4/11/2022

Monthly Financial Statement – February 2022, March 2022, April 2022

Planning Board Minutes –

Recreation/Senior Center Report – March 2022, April 2022

Town Clerk Report – March 2022, April 2022

Traffic & Safety Committee Minutes – 3/3/2022

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification that Jesse Marano, Recreation Leader has resigned; effective May 23, 2022.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #143 RE: Clifton Fire Department Active List

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

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

Keith Bozek 4/5/2022

RESOLUTION #144 RE: Library Board of Trustees

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

BE IT RESOLVED, that Monique Rew-Bigelow be appointed to the Library Board of Trustees for a five (5) year term to expire on December 31, 2026.

RESOLUTION #145 RE: Assessment Technical Assistance and Consulting

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

WHEREAS, the Assessor has recommended the Town of Chili engage professional services for the purposes of providing technical assistance and consulting services in connection with the maintenance and preservation of the Town's assessment roll; and

WHEREAS, the Assessment Reserve has been established to be utilized for real property tax related efforts, including but not limited to expenditures in connection with periodic assessment roll updates, technical assistance and special appraisal or valuation expenditures, expenditures in connection with the ongoing maintenance and preservation of the Town of Chili's tax roll and for related assessment purposes; and

NOW, THEREFORE BE IT RESOLVED, that funds in an amount not to exceed \$20,000.00 from the Assessment Reserve be used for technical assistance and consulting in connection with the maintenance and preservation of the Town's assessment roll, subject to Permissive Referendum; and

BE IT FURTHER RESOLOVED, that the Town Clerk is hereby authorized and directed to give notice in the official newspaper of the Town; and

BE IT FURTHER RESOLOVED, pending successful passing of the Permissive Referendum, that the Supervisor be authorized to execute a professional service agreement(s) to assist the Assessor with technical assistance and consulting, not to exceed \$20,000.00, to be paid from account A1355.4000.0023 (Assessor – Contractual – Assessment Reserve).

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RESOLUTION #146 RE: 2022 Budget Amendments

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

BE IT RESOLVED, to amend budget SF9025.8 (Service Awards Program – Chili Fire District) by an increase of \$65,000.00; and

BE IT FURTHER RESOLVED, to amend Chili Fire Protection District Fund appropriated fund balance to \$115,000.00 from the 2022 adopted budget amount of \$50,000.00.

RESOLUTION #147 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, 2021, the Town had \$2,250,000.00 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

WHEREAS, in an effort to reduce the fiscal burden on the current and future budgets, the Town wishes to use funds from the General Fund Assigned Unappropriated Fund Balance for the costs related to the community center and site and infrastructure improvements in the surrounding area project; and

NOW, THEREFORE, BE IT RESOLVED, to amend expense budget A9950.9 (Transfer to Capital Projects) by an increase of \$250,000.00; and

BE IT FURTHER RESOLVED, to transfer \$250,000.00 from the General Fund Assigned Unappropriated Fund Balance to the Community Center capital project (H60).

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RESOLUTION #148 RE: Transfer to Court Remodel Project

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

WHEREAS, the Town of Chili is in the process of completing the old library to court remodel project in an effort to consolidate administrative functions into the Town Hall; and

WHEREAS, as of December 31, 2021, the Town had \$2,250,000.00 in the General Fund Assigned Unappropriated Fund Balance for use towards a series of ongoing and upcoming projects, including the court remodel project; and

WHEREAS, in an effort to reduce the fiscal burden on the current and future budgets, the Town wishes to use funds from the General Fund Assigned Unappropriated Fund Balance for the costs related to the reconstruction of the old library to new court space; and

NOW, THEREFORE, BE IT RESOLVED, to amend expense budget A1620.2 (Buildings - Equipment) by an increase of \$500,000.00; and

BE IT FURTHER RESOLVED, to expend \$500,000.00 from the General Fund Assigned Unappropriated Fund Balance on the Court Remodel project.

RESOLUTION #149 RE: Letter of Credit Release #1 Hubbard Springs

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$310,819.55 be released from the letter of credit #NUSCGS036577 with JP Morgan Chase Bank for Hubbard Springs, leaving a balance of \$41,673.00; subject to engineering fees to the Town.

RESOLUTION #150 RE: Letter of Credit Release #4 for Rose Hill, Phase 3

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$119,352.60 be released from the letter of credit #520006988 with Tompkins Community Bank for Rose Hill, Phase 3, leaving a balance of \$448,210.23; subject to engineering fees and street light bills to the Town.

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RESOLUTION #151 RE: Release Portion of Storm Drainage Easement

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

WHEREAS, Lindsay E. Cavallaro & John Ciulla (the “Applicant”) are owners of property located at 19 White Fawn Run (Tax ID 132.15-2-4), Lot 108 of the West Forest Estates, Section 1, Town of Chili, New York (the “Property”); and

WHEREAS, the Applicants’ house encroaches onto a storm drainage easement owned by the Town of Chili; and

WHEREAS, the Applicant has applied to the Town Board for a partial release of easement for that portion of a storm drainage easement owned by the Town of Chili that is located under their encroaching improvements; and

NOW, THEREFORE, BE IT RESOLVED, subject to a permissive referendum, that upon approval of the Commissioner of Public Works and Attorney for the Town Board of the Town of Chili, the Town of Chili shall release to the above named Applicants that portion of the Town's storm drainage easement located & under the encroachments onto the easement as shown on the attached survey map of the property made by Thomas A. Rodak of O’Neill – Rodak Land Surveying Associates, P.C., a licensed surveyor in the State of New York, dated April 27, 2022; and

BE IT FURTHER RESOLVED, the Supervisor of the Town of Chili, is hereby authorized and directed to execute, on behalf of the Town of Chili, all necessary documents in furtherance of this resolution relating to the property after the release of easement has been approved by the Commissioner of Public Works and the Attorney for the Town Board; and

BE IT FURTHER RESOLVED, that the Applicants shall pay to the Chili Town Clerk all costs incurred or to be incurred by the Town in this matter including, but not limited to: engineering review costs (if an engineering review is deemed necessary by the Commissioner of Public Works) legal review costs, publication costs and recording fees; and

BE IT FURTHER RESOLVED, that within (10) days hereof the Town Clerk shall publish and post a notice of the adoption of this resolution, and an abstract thereof, as required by law.

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RESOLUTION #152 RE: Temporary License Agreement with the Monroe County Water Authority

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

WHEREAS, the Town of Chili Highway Department’s radio repeater antenna and associated equipment is currently located on a tower and in a building located at 3231 Chili Ave owned by the Chili Fire Department; and

WHEREAS, the Chili Fire Department has informed the Commissioner of Public Works/Superintendent of Highways that the building and tower will be demolished at a future date and that the antenna and equipment will need to be relocated; and

WHEREAS, the Commissioner of Public Works/Superintendent of Highways has coordinated with RadioMax and determined that locating the antenna on a Monroe County Water Authority tower located at 259 Chesnut Ridge Road (Tax ID: 133.17-1-82) is suitable and would provide the needed coverage for the operations of the Public Works and Highway Departments; 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 Temporary License Agreement with the Monroe County Authority to allow for the placement of the antenna on the tower and installation of the associated equipment.

RESOLUTION #153 RE: Acceptance of Bid for Used Paver

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

WHEREAS, included in the approved 2022 budget is the purchase of one (1) used paver, and;

WHEREAS, two (2) bids for the supply of used paver were received by the Commissioner of Public Works; and

WHEREAS, the bids were tabulated as follows:

<u>Bidder</u>	<u>Total Bid</u>
Monroe Tractor	\$49,339.22
Tracey Road Equipment	\$175,700.000

WHEREAS, the Commissioner of Public Works/Superintendent of Highways has reviewed the submitted bid and has made a determination that the proposal from Monroe Tractor best meets the intent of the specification and requirements of the town and is acceptable for the intended use and recommends that it be accepted; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Commissioner of Public Works, to accept Bid for the from Monroe Tractor for a cost to not exceed \$55,000.00 to be paid from Acct: 02.5130.2000 (Machinery & Equipment)

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RESOLUTION #154 RE: Standard Work Day and Reporting Resolution for Employees

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

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

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

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

Title	Name	Standard Work Day (Hrs/Day)	Term Begins/Ends	Participates in Employer’s Time Keeping System	Days/Month (based on Record of Activities)
ELECTED	OFFICIALS				
Town Supervisor	David J. Dunning	7	01/01/2022 – 12/31/2023	N	23.15
Town Councilwoman	Mary Sperr	6	01/01/2022 – 12/31/2025	N	4.32
Town Councilman	Mark DeCory	6	01/01/2022-12/31/2025	N	3.5
Town Justice	Eric W. Stowe	6	01/01/2022 – 12/31/2025	N	3.25
Town Clerk / Tax Receiver	Virginia L. Ignatowski	7	01/01/2022 – 12/31/2022	N	22.15
APPOINTED	OFFICIALS				Days/Meeting
Stenographer	Sandra Hewlett	6	01/01/2021 – 12/31/2023	N/A	1.32
Conservation Board Member	Jill Fornarola	6	01/01/2022 – 12/31/2023	N/A	0.44
AAC Member	Robert Latragna	6	01/01/2022 – 12/31/2026	N/A	0.57
Planning Board Member	Matthew Emens	6	01/01/2022 – 12/31/2028	N/A	0.44

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RESOLUTION #155 RE: Chili Fire Department Active List

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

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

Steven Donahue (5/9/2022)

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

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

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

Dave Garcia (3/14/2022), Chris Horn (3/14/2022)

RESOLUTION #157 RE: Chili Fire Department Exempt List

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

BE IT RESOLVED, that the following individual(s) be added to the Chili Fire Department exempt list from the CFD active list effective:

David Saur (5/9/2022)

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RESOLUTION #158 RE: April 20, 2022 Abstract

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

WHEREAS, January 3, 2022 Resolution #1 authorized vouchers to be paid April 20, 2022, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 40476, 40486-40489, 40521-40525, 40529-40536, 40540-40545, 50547-40560, 40566-40580, 40583-40637 totaling \$137,876.04 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	\$	95,905.17
Admin Facility Reserve		13,581.38
Highway Fund		24,352.69
Library Fund		3,583.88
Drainage District		71.13
Fire Protection Districts		381.79
Total Abstract	<u>\$</u>	<u>137,876.04</u>

RESOLUTION #159 RE: May 4, 2022 Abstract

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

WHEREAS, January 3, 2022 Resolution #1 authorized vouchers to be paid May 4, 2022, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 40643-40644, 40648-40653, 40659-40668, 40670-40671, 40675-40678, 40682-40683, 40685-40717 totaling \$120,771.18 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	\$	83,677.63
Highway Fund		18,178.89
Library Fund		4,129.48
Drainage District		50.00
Street Lighting Districts		14,735.18
Total Abstract	<u>\$</u>	<u>120,771.18</u>

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The next meeting of the Chili Town Board will be June 15, 2022 in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.