

Chili Town Board Meeting
August 17, 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 **Derek Harnsberger**
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:

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

1. 2030 Comprehensive Plan Update.

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 – 7/13/2022

Reports Submitted –

Advanced Payment of Claims – July 2022

Building Department Report – July 2022

Dog Control Reports – July 2022

Historic Preservation Board Minutes – 6/13/2022, 7/18/2022

Monthly Financial Statement – July 2022

Parks & Recreation Minutes – 6/21/2022

Recreation/Senior Center Report – July 2022

Town Clerk Report – July 2022

Traffic & Safety Minutes – 5/5/2022, 6/2/2022

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification that Jeff Henry, Public Works Department is retiring; effective August 30, 2022.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #193 RE: SEQR – Declaration of Intent for Lead Agency Status to consider the rezoning of the L.I. (Limited Industrial) to R-1-15 (Residential Single-Family District).

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

WHEREAS, the Town Board of the Town of Chili (hereinafter referred to as Town Board) has reviewed Part 1 of the Full Environmental Assessment Form, dated August 11, 2022 and prepared by David Dunning, Supervisor for the rezoning of 18 Beaver Road extension (Tax ID 146.04-1-26) 16 Beaver Road Extension (Tax ID 146.04-1-25), 14 Beaver Road Extension (Tax ID 146.04-1-24), 12 Beaver Road Extension (Tax ID 146.04-1-23), 10 Beaver Road Extension (Tax ID 146.04-1-22), 4 Beaver Road Extension (Tax ID 146.04-1-21), 257 Archer Road, (Tax ID 146.04-1-20) and 243 Archer Road (Tax ID 146.04-1-30) from Limited Industrial (L.I.) to R-1-15 (Residential Single Family, 15,000 SF Min Lot Area); and

WHEREAS, the Town Board considers said Action to be classified as a Type 1 Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, that the Chili Town Board does hereby declare its intent to be designated the lead agency to conduct the coordinated review for rezoning of the rezoning of 18 Beaver Road extension (Tax ID 146.04-1-26) 16 Beaver Road Extension (Tax ID 146.04-1-25), 14 Beaver Road Extension (Tax ID 146.04-1-24), 12 Beaver Road Extension (Tax ID 146.04-1-23), 10 Beaver Road Extension 146.04-1-22), 4 Beaver Road Extension (Tax ID 146.04-1-21), 257 Archer Road, Tax ID 146.04-1-20) and 243 Archer Road (Tax ID 146.04-1-30) from Limited Industrial (L.I.) to R-1-15 (Residential Single Family, 15,000 SF Min Lot Area)and to make the necessary determination of significance under SEQR; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the Part 1 of the Full Environmental Assessment Form, referenced above herein; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to provide notice hereof to the involved and affected agencies as necessary.

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RESOLUTION #194 RE: Set Public Hearing for September 14, 2022 at 7:00 p.m. to consider the rezoning of the L.I. (Limited Industrial) to R-1-15 (Residential Single-Family)

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

WHEREAS, the 2030 Comprehensive Plan Committee has recommended the rezoning of parcel(s) 18 Beaver Road extension (Tax ID 146.04-1-26), 16 Beaver Road Extension (Tax ID 146.04-1-25), 14 Beaver Road Extension (Tax ID 146.04-1-24), 12 Beaver Road Extension (Tax ID 146.04-1-23), 10 Beaver Road Extension 9146.04-1-22), 4 Beaver Road Extension (Tax ID 146.04-1-21), 257 Archer Road, Tax ID 146.04-1-20) and 243 Archer Road (Tax ID 146.04-1-30) currently in the L.I. (Limited Industrial) which is not appropriate; it is recommend that they be rezoned to R-1-15 (Residential Single-Family, 15,000 SF Min Lot Area) which has been deemed a more suitable zone; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby determined that this is a Type 1 Action, and declares its intent to be designated lead agency for SEQR review purposes and directs the Town Clerk to send notification of such designation to all, if any, affected agencies; and

BE IT FURTHER RESOLVED, that a Public Hearing be set for September 14, 2022 at 7:00 p.m. to consider the rezoning of the parcel(s) located at 18 Beaver Road extension (Tax ID 146.04-1-26), 16 Beaver Road Extension (Tax ID 146.04-1-25), 14 Beaver Road Extension (Tax ID 146.04-1-24), 12 Beaver Road Extension (Tax ID 146.04-1-23), 10 Beaver Road Extension 9146.04-1-22), 4 Beaver Road Extension (Tax ID 146.04-1-21), 257 Archer Road, Tax ID 146.04-1-20) and 243 Archer Road (Tax ID 146.04-1-30 from L.I. (Limited Industrial) to R-1-15 (Residential Single-Family, 15,000 SF Min Lot Area); and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish notice in the Town's official designated newspaper.

RESOLUTION #195 RE: Disposing of Equipment

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

WHEREAS, the Town of Chili will be moving the Old Town Hall located at 3235 Chili Avenue to 3333 Chili Avenue and as part of the moving process will be inventorying, evaluating various equipment and furnishings; and

WHEREAS, some items may be deemed surplus, broken, unusable, past useful life, or otherwise unusable and of no benefit or value to the Town; and

NOW, THEREFORE, BE IT RESOLVED, that Supervisor Dunning is hereby authorized to sell, donate, discard, or otherwise dispose of said equipment in accordance with applicable law.

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RESOLUTION #196 RE: 2022 Budget Amendments

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

BE IT RESOLVED, to transfer \$1,500.00 from A1990.4 (Contingency) to A7520.4 (Historical Properties – Utilities); and

BE IT FURTHER RESOLVED, to transfer \$1,500.00 from A1990.4 (Contingency) to A1430.4 (Personnel – Pre-Employment Background Checks).

RESOLUTION #197 RE: Purchase of Large Format Printer/Scanner

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

WHEREAS, the Director of Management Information Services has determined that the large format printer used by multiple departments has far exceeded its life expectancy, reached end-of-life status in 2014, and no longer meets the needs of the Town; and

WHEREAS, the large format scanner has failed, having passed its life expectancy in 2019; and

WHEREAS, the Director of Management Information Services recommends the Town replace both devices with a single HP T2600MFP that includes both large format scanning and printing capabilities; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Management Information Services is hereby authorized to purchase an HP T2600MFP with installation for sum not to exceed \$7,200.00 from account A1680.2 (Information Technology - Equipment) from Toshiba Business Solutions under New York State contract PM20860; and

BE IT FURTHER RESOLVED, to purchase large format ink and paper supplies for a sum not to exceed \$1,100.00, from account A1680.4 (Information Technology – Supplies).

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RESOLUTION #198 RE: ARPA/ SLFRF Funds

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

WHEREAS, in 2021, the Federal Government passed the American Rescue Plan Act (ARPA), which included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, to deliver funds to state, local and tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency; and

WHEREAS, the SLFRF program provides governments the resources needed to fight the pandemic and support families and businesses struggling with its public health and economic impacts, maintain vital public services, and build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity; and

WHEREAS, the Town of Chili has received funding from the SLFRF program and wishes to use proceeds from that program for the benefit of the community by purchasing a printer/scanner and supplies to be used for digitalizing documents; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$8,300.00; and to amend expense account A1680.2 (Information Technology - Equipment) by an increase of \$7,200.00; and to amend expense account A1680.4 (Information Technology – Supplies) by an increase of \$1,100.00.

RESOLUTION #199 RE: ARPA/ SLFRF Funds

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

WHEREAS, in 2021, the Federal Government passed the American Rescue Plan Act (ARPA), which included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, to deliver funds to state, local and tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency; and

WHEREAS, the SLFRF program provides governments the resources needed to fight the pandemic and support families and businesses struggling with its public health and economic impacts, maintain vital public services, and build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity; and

WHEREAS, the Town of Chili has received funding from the SLFRF program and wishes to use proceeds from that program for the benefit of the community by purchasing chairs for the Town’s main meeting room; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$2,280.00; and to amend expense account A1620.4 (Buildings – Town Hall Operations) by an increase of \$2,280.00.

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RESOLUTION #200 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:

Donald Bracci (7/21/2022)

RESOLUTION #201 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:

Tim Harris (8/8/2022)

RESOLUTION #202 RE: Purchase of Motor Vehicle Diagnostic Software

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

WHEREAS, the current motor vehicle diagnostic software in use is out of date and not compatible with many of the newer vehicle in the Town's fleet; and

WHEREAS, the purchase of Motor Diagnostics Software package would allow for a single vehicle diagnostic software that can service the multiple makes and models of vehicles and equipment currently in the Town's fleet; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase of the F7SG-FCAR Vehicle Diagnostic Software from Motor Diagnostics at a cost not to exceed \$5,500.00 to be paid from account DA5130.452 (Machinery-Equipment-Supplies).

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RESOLUTION #203 RE: Designating Lead Agency Status and SEQR Determination for the Sale of 3235 Chili Avenue (Old Town Hall & Highway Facilities).

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

WHEREAS, the Town Board of the Town of Chili (hereinafter referred to as Town Board) has reviewed Part 1 of the Short Environmental Assessment Form, prepared by the Commissioner of Public Works for the sale of 3235 Chili Avenue, Rochester NY 14624, (Tax ID 146.13-1-19.1) (hereinafter referred to as Action), and more specifically shown on a map prepared by Robert J. Avery, dated October 19, 2020 and filed in the County Clerk's Office under Liber 362 Page 74; and

WHEREAS, the Town Board does hereby designate itself as lead agency for the Action; and

WHEREAS, the Town Board determines said Action is classified as an Unlisted action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Town Board has reviewed and does hereby accept Part 2 of the Short Environmental Assessment Form, dated August 17, 2022 and prepared by the Town Supervisor; and

WHEREAS, the Town Board has conducted an Uncoordinated Review, in accordance with the SEQR Regulations, such that each and any other involved agency review the impacts of the proposed action independently and make its own determination of significance about the action; and

WHEREAS, the Town Board finds that the Short Environmental Assessment Form, Parts 1 and 2, provides a reasoned elaboration of the impacts likely to result from the Town Board's action to approve the proposed Action; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in the SEQR Regulations and the information contained in Parts 1 and 2 of the Short Environmental Assessment Form; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board determines the action to be an unlisted action for the purposes of SEQR and based on the information and analysis above and the supporting documentation referenced above that the proposed action WILL NOT result in any significant adverse environmental impacts and directs the Town Supervisor to sign and date Part 3 of the Short Environmental Assessment form.

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RESOLUTION #204 RE: Authorizing Sale of 3235 Chili Avenue.

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

WHEREAS, upon completion of the new Court and relocation of the Town Court, the Town Board determines that it has no plans for utilization of 3235 Chili Avenue (Old Town Hall & Highway Facilities) and deems it surplus property; and

WHEREAS, it is the intent of the Town Board to offer the property for sale; and

BE IT RESOLVED, that the Town Board authorizes the Supervisor to take all necessary actions to engage in the listing, sale and closing of 3235 Chili Avenue.; and

BE IT FURTHER RESOLVED, this resolution is subject to permissive referendum and according to §82 and §90 of the Town Law, within ten (10) days of the date of this resolution, the Town Clerk shall post and publish a Notice which shall set forth the date of the adoption of the resolution, shall contain an abstract of such resolution, shall specify that this resolution was adopted subject to a permissive referendum; and shall publish such notice in the official newspapers of the Town of Chili, and in addition thereto, that the Town Clerk shall post or cause to be posted on the signboard of the Town a copy of said Notice within ten (10) days of the adoption of this resolution.

RESOLUTION #205 RE: Establish Letter of Credit for Victory Express, 350 International Blvd

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

BE IT RESOLVED, that per the recommendation of the Commissioner of Public Works/Superintendent of Highways and Town Engineer that a letter of credit be established for Victory Express, 350 International Blvd in the amount of \$192,391.99.

Items within the letter of credit include, but are not limited to storm sewers, storm water control and erosion and sediment control.

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RESOLUTION #206 RE: July 20, 2022 Abstract

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

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

WHEREAS, Council did authorize by a majority vote vouchers 40810, 41125, 41160-41161, 41183-41184, 41207-41211, 41215-41248, 41251-41329 totaling \$317,643.12 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	\$	117,015.96
Admin Facility Reserve		653.00
Insurance Reserve		2,000.00
Highway Fund		194,028.20
Library Fund		3,280.61
Drainage District		298.42
Fire Protection Districts		366.93
Total Abstract	\$	<u>317,643.12</u>

RESOLUTION #207 RE: August 3, 2022 Abstract

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

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

WHEREAS, Council did authorize by a majority vote vouchers 41159, 41168, 41182, 41330-41334, 41336-41339, 41344, 41349-41366, 41371-41383, 41393-41394, 41396-41410, 4141241413, 41416, 41418-41421, 41424-41442 totaling \$471,778.50 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	\$	84,447.22
Townwide Drainage Reserve		1,420.50
Highway Fund		348,003.80
General Repairs/Maint Reserve		19,280.04
Library Fund		3,469.27
Drainage District		87.76
Street Lighting Districts		15,069.91
Total Abstract	\$	<u>471,778.50</u>

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RESOLUTION #208 RE: August 17, 2022 Abstract

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

BE IT RESOLVED, to pay vouchers 40811, 41443-41450, 41453-4160, 41463-41494, 41497-41535 totaling \$669,521.05 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$	172,468.49
Drainage Improvement Reserve		2,185.00
Admin Facility Reserve		194,309.65
Highway Fund		296,402.66
Library Fund		3,879.22
Fire Protection Districts		276.03
Total Abstract	\$	<u>669,521.05</u>

The next meeting of the Chili Town Board will be September 1, 2022 (Budget Workshop) at 5:00 PM and the regular scheduled meeting on September 14, 2022 at 7:00 PM both meetings in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.