

CHILI TOWN BOARD  
August 17, 2022

A regular meeting of the Chili Town Board was held on August 17, 2022 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, and Supervisor David Dunning.

ALSO PRESENT: Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; Virginia Ignatowski, Town Clerk; David Lindsay, Commissioner of Public Works/Highway Superintendent; Councilman Slattery, Deputy Town Supervisor; Derek Harnsberger, Counsel for the Town; Scott Bonnewell, 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.:

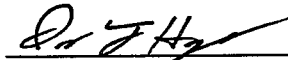
Order #: 12140075  
Case #:

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 8/3/2022 and ending on 8/3/2022. 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 ~~3rd~~<sup>4</sup> day of August, 2022



Ben Jacobs  
Authorized Designee



Blank Notary Data  
Notary Public, State of New York  
[Commission Number]

### TOWN OF CHILI NOTICE OF PUBLIC HEARING

A Public Hearing will be held by the Town Board of the Town of Chili on August 17, 2022 at 7:00 P.M. at the Main Meeting Room, 3333 Chili Avenue, Rochester, NY 14624 to hear comments on the Final Draft of the Update to the 2030 Comprehensive Plan. At such time, all interested persons are entitled to be heard at the public hearing. If special accommodations are required, please notify the Town of Chili by August 12, 2022. The Final Draft document can be viewed in the Town of Chili Town Clerk's office, the Town of Chili Library, or online at [www.townofchili.org](http://www.townofchili.org).

By order of the Town Board of the Town of Chili, dated July 13, 2022.

Virginia Ignatowski  
Town Clerk  
Town of Chili  
12140075 8-3-1t

IAN T. HOGUE  
Notary Public, State of New York  
Monroe County Reg. # 01H06416018  
Commission Expires 04/05/2025

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PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on August 17, 2022 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss the 2030 Comprehensive Plan Update.

Attendance as previously noted in the 8/17/22 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

COUNCILWOMAN SPERR: I have some questions –

SUPERVISOR DUNNING: Feel free.

COUNCILWOMAN SPERR: -- if no one else is coming up to the podium.

When I read the whole plan, I really felt it was well done and it was a great document that is going to really represent our Town well into the 2030 period. So my hats off to the entire Committee that worked on it. I know the Supervisor put many hours into it and I just want to let you know how much I appreciate it.

But a couple of my questions -- if you go to Chapter 4, there is a whole section -- page 8, there's a whole section on allowing the certain Town staff members to make decisions and I wasn't sure what the reasoning was for that. It was a whole section on -- you see page 8, Objective 2. The reasoning to allow certain staff members to make decisions and I wondered if it shouldn't still be the Board. So --

SUPERVISOR DUNNING: What were the specific decisions that you were referring to?

COUNCILWOMAN SPERR: I would have to -- I don't have it open in front of me.

SUPERVISOR DUNNING: Chapter 2.

COUNCILWOMAN SPERR: Chapter 4, page 8, Objective 2F. To be specific.

SUPERVISOR DUNNING: Okay. Let me get to it. Chapter 4? What was it?

COUNCILWOMAN SPERR: Page 8, Objective 2. There's a section which --

SUPERVISOR DUNNING: Consider developing criteria to allow certain staff members in a Committee setting to make decisions on minor site plan matters which at present are dealt with by Town Boards. And that falls under criteria of guidelines for the various land use decisions made by the Town Boards and officials. Yes.

And in a Committee setting, much like the Comprehensive Plan.

COUNCILWOMAN SPERR: Is that what that means?

SUPERVISOR DUNNING: For those decisions, yes.

COUNCILWOMAN SPERR: There was also a lot of objections to our recent affordable housing project down on Union Street. And in this plan, it talks a lot about encouraging that.

SUPERVISOR DUNNING: Uh-huh.

COUNCILWOMAN SPERR: I just wasn't sure about did we want to continue to encourage it to the extent we are or does everyone seem happy with our current stance on that?

Just kind of curious because when I got to that point, I thought, gees, um, we kind of had discussions about maybe not going over board on affordable housing because it affects the house values of the neighborhoods nearby. One of the comments I heard from residents.

SUPERVISOR DUNNING: I will respectfully disagree with that opinion. As I mentioned at the openings of these -- the ribbon cuttings I have been to for the one affordable housing project that did go up, I believe that everyone has the right to live somewhere and live somewhere in a decent environment and a decent setting. And a decent home.

The project that was done here was done very, very tastefully. It was done well. It -- it likely did not devalue anybody's home because there was quite a bit of a residential area there and these projects -- the nature of these projects are still, um -- the zoning is -- still has to be right in order for them to work. So it is not like you would necessarily look at -- and this Board would have to consider if another project comes up for zoning a spot for that to go.

COUNCILWOMAN SPERR: Right.

SUPERVISOR DUNNING: But again, I still believe everybody has a right to live in the community they like to live in.

COUNCILWOMAN SPERR: Okay.

SUPERVISOR DUNNING: If that means there is a project or developer that is going to develop homes where people can live comfortably and enjoy the community in which they choose to live, they should be afforded that. Most of these affordable housing projects that I have seen are not necessarily what a lot of people think a -- they're not necessarily Section 8 housing. There are income requirements but not necessarily Section 8 housing. They -- they still have to pay a decent rent. So, you know, I -- I think it's --

COUNCILWOMAN SPERR: Okay.

SUPERVISOR DUNNING: Again, it's something that I think the Town should -- should embrace where appropriate to do so.

COUNCILMAN SLATTERY: Also, Mary (Sperr) -- if I can really quick in regards to that, David (Dunning), I think also part of the issue with what -- you have subsidized housing. You have affordable housing. And then you're supposed to have luxury apartments that are all within that small area. And then -- I also know that with the new affordable housing that went in, already it's been a little burden on the Sheriff's Department because of the number of calls they received and how often they're going over there.

So while the housing may be affordable and justified and we may be wanting to help people better themselves and allow a certain type of housing, we also have to take into consideration -- well, we can't really dictate the type of issues that may take place within those areas. I will be careful what I'm saying. Especially when you look at how -- what happened in Brighton with the lawsuit that has now taken place.

But also at the same time, I think part of the issue is it is all congregated in one small area. And being a resident within that area, I see it. I'm through there daily. And I hear from people in other areas -- because one end you got the single-family homes. Then it trickles down to subsidized housing. Then you have a nursing home. Then you have group homes. You have two group homes in there with individuals with special needs.

Then you also have the luxury apartments that are across the street. Then you have a nursing home there. Then you have the affordable housing that is there. And the volume that is going up, you know, that's what I think that we have to look at and be cautious of.

SUPERVISOR DUNNING: And I couldn't disagree with you at all on that. I couldn't agree more.

COUNCILWOMAN SPERR: Kind of where I'm coming from, too.

SUPERVISOR DUNNING: And you all -- I think you all know I have been very outspoken about the amount of rental units that I wanted -- that I would prefer to see up in the North Chili area because most of that area is a high concentration of rental units of all types. That it is really not necessarily a good thing to inundate and they have very -- very -- where we can, any ways, we're zoning -- where a change in zoning would be required in order for an apartment building or a multi-family type dwellings would have to be constructed, I have not supported those and will continue -- continue to do that as developers come in because that is a high concentration area.

I can't speak for the amount of times that the Sheriffs come to that place. I'm sure you have a little more information than I do, but -- versus what they do over at this place or that place or the other place or how many times they're over even in the single-family housing.

COUNCILMAN SLATTERY: Sure.

SUPERVISOR DUNNING: Sure.

COUNCILMAN SLATTERY: No matter where it is.

SUPERVISOR DUNNING: On the west side of Town, there are areas that are a little -- probably fewer calls are made to, but -- but I have not heard -- I have heard only one concern or complaint about the one that went up, the newer one.

COUNCILWOMAN SPERR: Okay.

SUPERVISOR DUNNING: And that's the only thing I've heard coming out of that project that comes to me.

COUNCILWOMAN SPERR: Last fall we heard a lot of complaints because the project was going in, but I have not been out to talk to people since it has come -- people have moved in.

SUPERVISOR DUNNING: We still have a lot of control through zoning on -- on how that goes.

COUNCILWOMAN SPERR: Okay.

SUPERVISOR DUNNING: And the Comprehensive Plan is well planned out.

COUNCILWOMAN SPERR: Okay.

SUPERVISOR DUNNING: And the zoning in there is considered.

COUNCILMAN SLATTERY: And also not to take it the wrong way, there's -- I have friends that live over there, people I have met over time and so forth. So no matter where you are, it's -- one bad apple or whatever you have, so. I don't want to just put -- give that general, you know, statement saying, you know, there's -- everybody is bad. I'm not saying that at all. There is really good people over there. People that I talk to daily when I'm through there.

COUNCILWOMAN SPERR: I think Michael (Slattery) raised a good point. An education on terminology of "affordable," "subsidized" and "Section 8."

SUPERVISOR DUNNING: There are very distinct distinctions.

COUNCILWOMAN SPERR: The next one I had was on Chapter 4 still but on page 15, at the top of the page, Number 4. When to waive the in-lieu-of payments. It is the whole section on the in-lieu-of payment. It looks to me like when I read it, the Planning Board has the ability to waive that payment and I thought that should be a Town Board decision not a Planning Board decision.

Do I have that right?

SUPERVISOR DUNNING: Where does it state that the Planning Board has that?

COUNCILWOMAN SPERR: Guidelines by Planning Board. Page 15, top of page --

SUPERVISOR DUNNING: Developed criteria and guidelines for use by the Planning Board in determining when to waive the requirement for land dedication or an in-lieu-of payment.

COUNCILWOMAN SPERR: Right. By -- so it is guidelines for the Planning Board. But I thought that was the responsibility of the Town Board, to make a decision to waive.

SUPERVISOR DUNNING: For land -- for land dedication or an in-lieu-of payment.

COUNCILWOMAN SPERR: I didn't know if I misinterpreted that.

SUPERVISOR DUNNING: Any thoughts on that?

DAVID LINDSAY: Can you read it again?

SUPERVISOR DUNNING: The statement -- it -- the section is "Develop criteria and guidelines for use by the Planning Board in determining" -- and then there is -- this is Number 4 -- "when to waive the requirement for land dedication or an in-lieu payment." They don't dedicate land.

COUNCILWOMAN SPERR: Uh-uh. They don't do -- they don't waive --

SUPERVISOR DUNNING: They waive final on --

COUNCILWOMAN SPERR: That's not in lieu of --

SUPERVISOR DUNNING: I know. I know.

COUNCILWOMAN SPERR: I think that's -- that might be something you want to take a look at.

SUPERVISOR DUNNING: I'll look at that. I -- I will talk about that. I'm looking at the overall objective and that under Objective 1 on page 413 and -- it is for the protection of natural resources, selected open space, environmentally sensitive areas and unique natural areas. So I'm wondering if that has something to do with wetlands and protecting more -- more towards that which certainly the Planning Board would do more around maintaining, making sure that proper buffers and things like that around wetlands -- that -- that might -- it might be just worded funny?

COUNCILWOMAN SPERR: I didn't know if "in lieu of" meant monies.

SUPERVISOR DUNNING: I will bring -- I will bring that one up.

COUNCILWOMAN SPERR: I will give you my notes on the typos. The last -- one of the last couple -- page 24 and 25.

SUPERVISOR DUNNING: Same section?

COUNCILWOMAN SPERR: Yes. Still on Chapter 4. Objective 4. It talks about limiting ditch maintenance and it continues over onto 25 and talks about then in number C maintaining roadside ditches, so -- what would you prefer?

SUPERVISOR DUNNING: What --

COUNCILWOMAN SPERR: Objective 4, and the whole thing on limiting ditch maintenance.

COUNCILMAN SLATTERY: Was that on Town roads, State roads, County roads? Private roads?

SUPERVISOR DUNNING: The overall objective, minimal negative impacts on people and the environment from traffic, road maintenance, road construction, noise, exhaust and the like.

COUNCILWOMAN SPERR: Okay.

SUPERVISOR DUNNING: And the next one, the objective -- which is where you're saying is the -- or -- or suggesting a conflict -- future development designed to minimize diverse impacts on present roadway efficiencies, safety and as well as upon future flood corridor locations.

COUNCILWOMAN SPERR: So -- but as -- one sense it's telling you to limit ditch maintenance, but then as you carry on further, it asks to maintain roadside ditches.

SUPERVISOR DUNNING: No. I would probably go back to say that on that that you want to limit the maintenance of them, which we found that people -- these -- a lot of these drainage areas are supposed to be left somewhat natural so that they drain --

COUNCILWOMAN SPERR: Oh, okay. So.

COUNCILMAN SLATTERY: So it weeds out the sediments.

SUPERVISOR DUNNING: So they drain -- it takes on the water instead of just kind of like free flow, so to speak. And the other is to keep the ditches -- that the ditches are there and the ditches are put in properly. That is what I would say from that.

COUNCILWOMAN SPERR: Okay. I wasn't sure.

SUPERVISOR DUNNING: But some of this stuff we covered a long time ago and I don't remember exactly what the conversation might have been but that is probably what I have taken from that.

COUNCILMAN SLATTERY: Over time sediment will fill in the ditches so you have to do the maintenance. You know, the debris that will fall in there. So it will not be what it was originally. So that is why when the Town goes back after a period of time and they do some maintenance, people get upset because now it may be more challenging to mow. But in reality, they're putting it back to the way it was originally.

COUNCILWOMAN SPERR: Right.

COUNCILMAN SLATTERY: And people become accustomed to it. Filling in the pipes -- the culvert pipes filling in and so forth.

COUNCILWOMAN SPERR: I just wanted to point out it looks like it contradicts itself. It's okay.

DAVID LINDSAY: Mr. Supervisor, I think the one that is talking about limiting maintenance is to the extent necessary to achieve certain goals, like sight distance and what not.

COUNCILWOMAN SPERR: Okay. That makes sense, David (Lindsay). Thank you.

COUNCILMAN SLATTERY: Then you also have residents that will plant items within -- within the Town right-of-way or the County or State right-of-way. Which causes -- which causes sight distance issues.

COUNCILWOMAN SPERR: This is more a comment than anything. There was a whole section, page 31, Objective 2 on composting. I just wanted to bring it to your attention that my son has a house in Manassas, Virginia. And the City of Manassas actually has a composting program where they put buckets at your house and you put your compost in. And every week they come and they pick it up and drop you off a new one. And then after a certain period of time, depending how much they have got, they bring bags of compost and drop it off at your front porch. So just saying something interesting if you're ever looking --

COUNCILMAN SLATTERY: You want to start a program here, Mary (Sperr)?

COUNCILWOMAN SPERR: Yes.

COUNCILMAN SLATTERY: Let me know what the cost is going to be.

COUNCILWOMAN SPERR: No, I know. I know.

SUPERVISOR DUNNING: I will give you the answer I always give Ginny (Ignatowski) when she makes a request. Just put it all down. Get down all of the facts, all of the details that we need to know, the budget, how many employees we have, what kind of vehicles would the composting cost, what it would cost to deliver. Ginny (Ignatowski), did I miss anything?

VIRGINIA IGNATOWSKI: No.

COUNCILWOMAN SPERR: The thing is they also -- the City picks up the garbage, just like the City of Rochester, so they use the staff for that I'm pretty sure.

SUPERVISOR DUNNING: They obviously have more money than we do.

COUNCILWOMAN SPERR: I already told you about the last paragraph in Chapter 5 about that. I will give you my notes.

SUPERVISOR DUNNING: Please.

COUNCILWOMAN SPERR: You're welcome to those. Thank you for your patience.

COUNCILMAN SLATTERY: We look forward to your study and let us know what the dollar value is.

COUNCILWOMAN SPERR: Sure.

COUNCILMAN DECORY: What is the bottom line.

SUPERVISOR DUNNING: So with that, are there any other comments on the Comprehensive Plan?

COUNCILMAN SLATTERY: So what is the next project?

SUPERVISOR DUNNING: Seeing none, I will close the Public Hearing.

The Public Hearing was closed at 7:18 p.m.

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At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speaker addressed the Town Board on various subjects: Dorothy Borgus. The Public Forum concluded at 7:21 p.m.

#### **MATTERS OF THE SUPERVISOR:**

SUPERVISOR DUNNING: I would also like to thank the Comprehensive Plan Committee for the work that they did on this plan. It was a lengthy process. We got interrupted by a nasty little COVID pandemic that went around and we were all able to come back and get this done. I think it's really a good piece of work and it's all due to the people who contributed.

Two of which are here right now. Mr. Ignatowski and Mrs. Borgus were part of that Committee. And they did a lot of work and put a lot of time and effort into it. So thank you for what you have done.

And the rest of the Committee, if you're watching this ever, thank you for all of the work you, too, put into this. It's -- it's very nice.

Other than that, I don't really have anything else at the moment. I will move along to Matters of the Town Council.

COUNCILMAN SLATTERY: (Indicating).

SUPERVISOR DUNNING: Oh, you're right. I probably should say that. I probably should say -- thank you.

COUNCILMAN SLATTERY: Ginny (Ignatowski).

SUPERVISOR DUNNING: Um, the -- as most people know, at this point we have been working on the Town Court. Over here the old former library space would be converted into a new court space and that is -- we'll be moving in there on August 30th. So the new court will start functioning probably later that week for their first court date. So on August 30th we'll -- the movers will be here and moving the old stuff and moving in the new stuff.

COUNCILMAN DECORY: Excellent.

COUNCILWOMAN SPERR: Great.

SUPERVISOR DUNNING: It looks good. They have done a very nice job.

COUNCILWOMAN SPERR: Can't wait to see it.

COUNCILMAN SLATTERY: (Indicating).

SUPERVISOR DUNNING: Oh, yeah. Thanks, Michael (Slattery). You could mention it yourself. I will leave it for you if you like.

COUNCILMAN SLATTERY: It's okay. You organized it.

SUPERVISOR DUNNING: The Chili Wellness Committee, which is part of our health care consortium group, we're trying to come up with ways to do healthy activities and keep -- keep employees engaged and doing some things more than sitting on the couch watching television. So -- so somebody came up with the idea to do a kickball game and we thought it would be really fun to have a kickball game against another Town, rather than having it amongst ourselves.

So Chili hosted the Town of Brighton a week or so ago now. A couple weeks ago Sunday. Sunday? It was on a Sunday morning. It was like 95 degrees, I think, that morning. But we had a great turnout from the Chili employees. Brighton, not so much. But we kicked their butt. So we beat them 7 to 5 and it was -- it was a lot of fun. We had a little barbecue afterwards with them, but it was a nice wellness activity. It was a good time.

And nobody got hurt, Scott (Bonnewell), so there were no insurance claims, so we're good.

COUNCILWOMAN SPERR: I also got to gloat to the Town Supervisor when I saw him last week that the Town won. I was on vacation so I had to miss it. Sorry.

SUPERVISOR DUNNING: We had fun. It was a good time. Did I miss anything else?

COUNCILMAN SLATTERY: No. I will let you go.

**MATTERS OF THE TOWN COUNCIL:**

COUNCILMAN SLATTERY: No. I've said enough.

SUPERVISOR DUNNING: There's a first. (Laughter.)

COUNCILMAN SLATTERY: Dorothy (Borgus)? (Laughter.)

The 7/13/2022 Town Board meeting minutes were approved.

**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

**CORRESPONDENCE:**

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

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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: Councilman DeCory**

**SECONDED BY: Councilwoman Sperr**

**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 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 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.

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

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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: Councilman Slattery**

**SECONDED BY: Councilman DeCory**

**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.

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

**RESOLUTION #195 RE: Disposing of Equipment**

**OFFERED BY: Councilwoman Sperr**

**SECONDED BY: Councilman DeCory**

**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.

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



**RESOLUTION #196 RE: 2022 Budget Amendments**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Slattery**

**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).

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

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**RESOLUTION #197 RE: ARPA/ SLFRF Funds**

**OFFERED BY: Councilwoman Sperr**

**SECONDED BY: Councilman DeCory**

**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.

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

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

VIRGINIA IGNATOWSKI: Supervisor, if I could. Will this then solve our having to go to the outside printer, this scanner?

SUPERVISOR DUNNING: What do you mean the "outside printer"?

VIRGINIA IGNATOWSKI: We have FOIL requests for large format -- like the blueprints, survey maps and lately we have been having to go to an outside printing house to get those.

SUPERVISOR DUNNING: Depending what it is, it may. It is fee based. But yes, we'll have a much better scanner.

VIRGINIA IGNATOWSKI: Okay.

COUNCILMAN SLATTERY: Have you talked to Chris (Levey) in regards to this?

VIRGINIA IGNATOWSKI: They showed up on the agenda. And I just seen it. No. We have been -- we used to have one and --

SUPERVISOR DUNNING: The scanner was not working any longer.

VIRGINIA IGNATOWSKI: Right. So this is the same size?

SUPERVISOR DUNNING: It is.

VIRGINIA IGNATOWSKI: Okay. That takes care of it.

SUPERVISOR DUNNING: Wide format printer and wide format scanner.

COUNCILWOMAN SPERR: It should work for you, Ginny (Ignatowski), yes.

SUPERVISOR DUNNING: Any other questions or comments from the Board?

**RESOLUTION #198 RE: Purchase of Large Format Printer/Scanner**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilwoman Sperr**

**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)

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

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**RESOLUTION #199 RE: ARPA/ SLFRF Funds**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilwoman Sperr**

**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.

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

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**RESOLUTION #200 RE: Chili Fire Department Remove from Active List**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilwoman Sperr**

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

Donald Bracci (7/21/2022)

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

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**RESOLUTION #201 RE: Chili Fire Department Exempt List**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilwoman Sperr**

**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)

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

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**RESOLUTION #202 RE: Purchase of Motor Vehicle Diagnostic Software**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Slattery**

**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 DA5130.4 (Machinery-Supplies).

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

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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: Councilwoman Sperr**

**SECONDED BY: Councilman Slattery**

**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.

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

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

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilwoman Sperr**

**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.

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

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

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Slattery**

**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.

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

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**RESOLUTION #206 RE: July 20, 2022 Abstract**

**OFFERED BY: Councilwoman Sperr**

**SECONDED BY: Councilman DeCory**

**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	<u>366.93</u>
Total Abstract	\$ 317,643.12

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

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**RESOLUTION #207 RE: August 3, 2022 Abstract**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Slattery**

**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	<u>15,069.91</u>
Total Abstract	\$ 471,778.50

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

**RESOLUTION #208 RE: August 17, 2022 Abstract**

**OFFERED BY:** Councilman DeCory

**SECONDED BY:**

Councilwoman Sperr

**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		<u>276.03</u>
Total Abstract	\$	669,521.05

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

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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. The meeting was adjourned at 7:30 p.m.

Steno: by Sandy Hewlett  
Minutes by: Virginia Ignatowski, Town Clerk  
