

Chili Town Board Meeting
September 14, 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 **Matthew Piston**
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. Joe Gizzi, Incentive Zoning for properties located at 4415 & 4423 Buffalo Road.

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

1. Rezoning of properties (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).

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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.

H. *Matters of the Supervisor –*

New Matters:

Pending Matters:

Matters of the Town Council –

New Matters:

Pending Matters:

I. Approval of Minutes – 8/17/2022

Reports Submitted –

Advanced Payment of Claims – August 2022

Building Department Report – August 2022

Dog Control Reports – August 2022

Monthly Financial Statement – August 2022

Recreation/Senior Center Report – August 2022

Town Clerk Report – August 2022

Traffic & Safety Minutes – 8/4/2022

Zoning Board Minutes – 6/30/2022, 7/26/2022

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #209 RE: Set Public Hearing on the 2023 Preliminary Budget

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

BE IT RESOLVED, in accordance of Section 108 of the Town Code the Town Board establishes the date, place and time for the Public Hearing on the 2023 Preliminary Budgets as follows and directs the Town Clerk to publish notice of same, in accordance with Section 108, in the Town's official designated newspaper:

DATE: October 12, 2022

PLACE: Town Hall, 3333 Chili Avenue, Rochester, NY 14624

BE IT FURTHER RESOLVED, that a Public Hearing be set for October 12, 2022 at 7:00 p.m. for the purpose of considering:

Sewer Districts (Chili Sewer Improvement Benefit Area #1)

Lighting Districts (Consolidated Lighting District #1, Chili Industrial, Pumpkin Hill, Blueberry Hill, Parklands of Chili)

Sidewalk Districts (Park Place, Vistas at the Links)

Park District (Lexington)

Consolidated Drainage District

Assessment Rolls for Fire and Fire Protection Districts (Chili, Gates-Chili, Clifton)

Assessment Rolls for Ambulance District (CHS Ambulance)

Proposed contracts for Ambulance District

Proposed contracts for Fire and Fire Protection Districts

Preliminary Budget 2023

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish notice of same, in accordance with Section 108, in the Daily Record is hereby ratified.

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**RESOLUTION #210 RE: RESOLUTION MAKING A DETERMINATION OF NON-SIGNIFICANCE
UPON THE ACTION IDENTIFIED AS – ADOPTION OF THE TOWN OF
CHILI 2030 COMPREHENSIVE PLAN UPDATE**

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

WHEREAS, the Town of Chili Town Board (hereinafter referred to as Board) as the designated lead agency under the State Environmental Quality Review (SEQR) Regulations, has on August 17, 2022, received, reviewed and accepted Parts 1, 2 and 3 of Full Environmental Assessment Form (FEAF) for the Action referenced above herein; and

WHEREAS, the Town Board has caused to be posted upon the Town's website all 3 Parts of the accepted FEAF for public review and comment; and

WHEREAS, all three parts of the FEAF were submitted to the Monroe County Department of Planning and Economic Development as part of the required referral upon the proposed Action under the provisions of New York State Town Law Section 272-a, and the SEQR Regulations; and

WHEREAS, the public record does not contain any objections to or comments upon these FEAF; and

WHEREAS, the Town Board has given consideration to the criteria for determining significance as set forth in Section 617.7 (c) (1) of the SEQR Regulations and the information contained in the above referenced FEAF, and the 2030 Town of Chili Comprehensive Plan Update which has been prepared in the format of a Draft Environmental Impact Statement; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board has reasonably concluded the following impacts are expected to result from the proposed Action, when compared against the criteria in Section 617.7 (c):

- (i) there will not be a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems; and
- (ii) there will not be large quantities of vegetation or fauna removed from the community or destroyed as the result of the proposed action; there will not be substantial interference with the movement of any resident or migratory fish or wildlife species as the result of the proposed action; there will not be a significant impact upon habitat areas within the community; there are no known threatened or endangered species of animal or plant, or the habitat of such species; or, are there any other significant adverse impacts to natural resources within the community; and
- (iii) there are no known Critical Environmental Area(s) on the site which will be impaired as the result of the proposed action; and
- (iv) the overall density of the community is likely to remain the same and is anticipated to be consistent with the Town Comprehensive Plan's land use recommendations; and
- (v) there are no known important historical, archeological, architectural, or aesthetic resources in the community that will likely be adversely affected by the proposed action, or impair the existing community or neighborhood characters; and

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- (vi) there will not be a major change in the use of either the quantity or type of energy resulting from the proposed action; and
- (vii) there will not be any hazard created to human health; and
- (viii) there will be changes in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses, which have been anticipated in the Plan and are felt likely not to have a major adverse impact upon the environment; and
- (ix) there will not be a large number of persons attracted to the community for more than a few days when compared to the number of persons who would come to such a place absent the action; and
- (x) there will not be created a material demand for other actions that would result in one of the above consequences; and
- (xi) there will not be changes in two or more of the elements of the environment that when considered together result in a substantial adverse impact; and
- (xii) there are not two or more related actions which would have a significant adverse impact upon the environment.

BE IT FURTHER RESOLVED, that based upon the above referenced information, analysis of the SEQRA Criteria above and the supporting documentation referenced above, the Town Board finds that the proposed Action WILL NOT result in any significant adverse environmental impacts; and

BE IT FINALLY RESOLVED, that based upon the above findings the Town Board does hereby make a Determination of Non-Significance and issues a Negative Declaration under the SEQRA Regulations upon said Action, directs the Town Supervisor to sign and date the FEAF Part 3, and to provide notice hereof to the New York State Department of Environmental Conservation for publishing in the State's Environmental Notice Bulletin, and to file said document and a Certified Copy of this resolution as provided for under the SEQRA Regulations.

RESOLUTION #211 RE: Adoption of the Town of Chili 2030 Comprehensive Plan Update

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

WHEREAS, the Chili Town Board (hereinafter referred to as Town Board), has received from the Town Comprehensive Plan Update Committee (hereinafter referred to as Committee), a Final Draft of the 2030 Town of Chili Comprehensive Plan Update – (hereinafter referred to as the Plan); and

WHEREAS, the Committee did provide a public review period, did post the Preliminary Draft of the Plan upon the Town’s Website, did conduct a public hearing on the Preliminary Draft on June 22, 2022 at 6:00 pm in the Town of Chili, Main Meeting Room, 3333 Chili Avenue, Rochester, NY 14624 and did provide a record of said public hearing held by the Committee; and

WHEREAS, the Chili Town Board (hereinafter referred to as Town Board), at a public hearing held on Wednesday, August 17, 2022 received public comment upon the proposed adoption of the final draft of the Town of Chili 2030 Comprehensive Plan Update (hereinafter referred to as Action); and

WHEREAS, said Action is part of the maintenance of the Town of Chili Comprehensive Planning Program, as provided for under Section 272-a of New York State Town Law; and

WHEREAS, the Town Board has reviewed the Monroe County Department of Planning and Economic Development referral #CI11-29Z, made under the provisions of Sections 239-l and –m of the New York State General Municipal Law, and Section 272-a of New York State Town Law which provides input to the Town Board on the adoptions of the Plan Document; and

WHEREAS, the Town Board has given consideration to the County referral comments and recommendation along with the public hearing record created upon said Action; and

WHEREAS, the Town Board has completed its required review under the provisions of article 8, Part 617 of the State Environmental Conservation Law (ECL), making a Determination of Non-Significance, a Negative Declaration thereon; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby adopt *The Town of Chili 2030 Comprehensive Plan Update*, with the modifications as discussed in the above referenced public hearing record and as approved by the Town Board all in accordance with the provisions of Section 272-a of New York State Town Law, as the Official Plan Document for the Town of Chili, Monroe County, New York; and

BE IT FURTHER RESOLVED, that said Plan is to be maintained by the Town Board in the manner described in the Implementation Chapter of said Official Plan Document; and

BE IT FINALLY RESOLVED, that the Town Supervisor is directed to publish copies of the Official Plan Document for the public to purchase, and to file copies of the Official Plan Document with the Monroe County Department of Planning and Economic Development, the Town Clerk’s Office, the Town Commissioner of Public Works, the Town Engineer, the Chili Town Library and to post the adopted Plan, in its entirety, upon the Town’s Official Website www.townofchili.org.

RESOLUTION #212 RE: Bicentennial 5K/Family Walk

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

Draft 9/13/2022

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WHEREAS, the Town of Chili Bicentennial Committee has asked for the Town's permission to hold a 5K Race/Family Walk on Saturday, October 1, 2022 from 10:00 am – 12:00 pm; and

BE IT RESOLVED, that the Town Board hereby authorizes the Town of Chili Bicentennial Committee to hold their 5K Race/Family Walk event on Saturday, October 1, 2022, as outlined on their correspondence map, and that a copy of the race map is provided on the Town's website; and

BE IT RESOLVED, that the race organizers comply with any traffic and control plan established with the Monroe County Sheriff's Office at Zone C; and

BE IT FURTHER RESOLVED, that the Town Clerk shall send notification of this resolution to the Town of Chili Bicentennial Committee and Yellow Jacket Racing.

RESOLUTION #213 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 September 12, 2022:

Abby Sauer, Mitchell Sauer

RESOLUTION #214 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:

Matthew Bailey (8/9/2022), Matthew Buffo (8/8/2022), Travis Minto (8/8/2022)

RESOLUTION #215 RE: Letter of Credit Release #2 Hubbard Springs - Final

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

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WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$41,673.00 be released from the letter of credit #NUSCGS036577 with JP Morgan Chase Bank for Hubbard Springs, leaving a balance of leaving a balance of \$0.00; subject to engineering fees to the Town.

RESOLUTION #216 RE: Purchase of One Six Wheel Dump with Plow Package

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

WHEREAS, included in the approved 2022 budget is the purchase of one (1) new replacement six (6) wheel dump with plow package for highway; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase of one (1) new 2024 HV507 SFA International from Regional International off the Onondaga County Bid #8996 at a cost for first not to exceed \$251,000.00 to be paid from Account #DA 02.5130.2 (Machinery Equipment).

RESOLUTION #217 RE: 2022 Budget Amendments

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

BE IT RESOLVED, to transfer \$35,000.00 from DA5142.4 (Snow Removal - Miscellaneous) to DA5130.2 (Machinery - Equipment); and

BE IT FURTHER RESOLVED, to transfer \$620.00 from A1990.4 (Contingency) to A8020.4 (Planning - Contractual); and

BE IT FURHTER RESOLVED, to transfer \$1,426.00 from A1110.4 (Justices – Stenographers) to A1110.2 (Justices – Equipment).

RESOLUTION #218 RE: Independent CPA Services

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

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WHEREAS, the Director of Finance sent Requests for Proposal for Professional Services to five firms, three of which did not submit a bid; and

WHEREAS, the Director of Finance has completed the review of the two proposals that were received, and the fully costed three-year proposals were as follows:

EFPR Group, LLP \$92,400.00
Mengel Metzger Barr & Co, LLP \$98,450.00

NOW, THEREFORE, BE IT RESOLVED, on the recommendation of the Director of Finance, to accept EFPR Group, LLP's proposal to provide independent CPA auditing services for the Town's 2022, 2023 and 2024 financial statements, which includes procedures to satisfy the requirements of the Uniform Justice Court Act §2019A, the LOSAP audit of service points, and certain Library filings, in an amount not to exceed \$29,300.00 for the 2022 audit, \$30,800.00 for the 2023 audit, and \$32,300.00 for the 2024 audit.

RESOLUTION #219 RE: September 7, 2022 Abstract

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

WHEREAS, January 3, 2022 Resolution #1 authorized vouchers to be paid September 7, 2022, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 41004, 41536-41547, 41557-41559, 41563-41566, 41571-41573, 41577, 41579-41580, 41586, 41589-41608, 41610-41616, 41619-41629, 41631-41636, 41638-41642, 41644-41686 totaling \$290,615.26 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	\$ 91,151.64
Admin Facility Reserve	67,256.00
Townwide Drainage Reserve	4,596.55
Highway Fund	106,991.74
Library Fund	3,797.02
Drainage District	1,450.48
Street Lighting Districts	15,371.83
Total Abstract	<u>\$ 290,615.26</u>

The next meeting of the Chili Town Board will be on October 12, 2022 at 7:00 PM both meetings in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.