

CHILI TOWN BOARD  
September 14, 2022

A regular meeting of the Chili Town Board was held on September 14, 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, Councilman Valerio 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; Daniel Knapp, Director of Finance; Matthew Piston, Assistant 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.

**PRESENTATIONS/ANNOUNCEMENTS:**

1. Joe Gizzi, Incentive Zoning for properties located at 4415 & 4423 Buffalo Road.

SUPERVISOR DUNNING: We do have one presentation this evening and I would ask that Chris (Schultz) or Joe (Gizzi), if you want –

MR. SCHULTZ: Sure.

SUPERVISOR DUNNING: This is for incentive zoning. Just for the sake of information for people who may think they have already heard this once before, we have asked Mr. Gizzi to come back to -- before the Town Board because there were some changes in the plans and what they wanted to do. Before we decided to move forward -- we're sending this back to the Planning Board -- we thought it was good that the Town Board gets an opportunity to see what these changes were.

So thank you very much. Appreciate it.

MR. SCHULTZ: Absolutely. Last time before the Board it was a nice Saturday afternoon. But just to familiarize everybody with the project, it's actually a mixed use. We're going to have residential and some commercial on the same parcel. So that is why we reached out to do it as incentive so that it would potentially work a little better.

SUPERVISOR DUNNING: Chris (Schultz), I'm sorry.

COUNCILWOMAN SPERR: They won't hear you on camera.

MR. SCHULTZ: Sorry about that. So what we got is we have an existing building at 4423. That's a two-story professional office building shown kind of in the center. That is proposed to be remodeled to apartments.

To the east we're proposing a one-story professional office building typically set up for two doctors' offices type thing.

And then to the west is our three-story mixed use building originally presented as retail space on the main level and then two floors, apartments. We are basically changing that to eliminate the commercial on the main floor. So the -- so the ask that we're proposing for the incentives is a little less severe from the standpoint of the mixed use. So we're keeping each building basically with a day -- with the same use in that building itself.

COUNCILMAN SLATTERY: Chris (Schultz), if I could real quick, I see on your plan you have the proposed new -- I believe the doctors' office building that is next to the old gas station service repair shop -- and then the hand-out we were given does not have that on here. Is there a reason why we don't have what you're presenting to us tonight?

MR. SCHULTZ: It should be included in that. What we tried to do –

COUNCILMAN SLATTERY: Should be included on this (indicating).

MR. SCHULTZ: Yes. It is off to the left. You're not seeing it. This is the doctors' office that was depicted. You may have this in your packet. You will see also on the original rendering, the doctors' office is depicted here (indicating).

COUNCILMAN SLATTERY: I understand that.

But you're showing us something with three buildings. You presented something to us that has two. And we were given those renderings you're describing, but I'm just concerned why we didn't get that because that came up in the last conversation because you tried to buy the other parcel that was sold that -- all -- the service station that has been remodeled and the upkeep and it looks pretty good over there.

MR. SCHULTZ: The original intent, I believe, of the client was to buy that corner and basically remove all of the buildings from that and turn it into green space and he was unable to obtain that property. The one-story commercial building was part of the original application. It may not be in the packet. What we did in the interim is we went ahead and we had some perspective views of the larger building done as part what of what we were going to present to the Planning Board.

Since we had it done, we felt it would be a good idea to give everybody here a copy in advance to kind of get a little better handle on it.

But we did present the original -- this is actually the board that was used in the presentation this past summer showing the three parcels or the three buildings and how they would fit on the overall.

SUPERVISOR DUNNING: Councilman, I don't want to step on your question, but I think there is a clarity -- perhaps a clarity issue in what he is asking, Chris (Schultz).

MR. SCHULTZ: Sure.

SUPERVISOR DUNNING: Is that on the renderings that we were given today, nowhere does that third building, we'll call it, where the doctors' office is show on any of the renderings.

MR. SCHULTZ: And again, that was an error on our part. We did provide that as part of the Planning submission. We put a lot more information -- but if you didn't get it, I apologize. What I was hoping to do when I ran this stuff out this afternoon was to speed up our -- our time today and get everything to you folks early.

SUPERVISOR DUNNING: Okay.

MR. SCHULTZ: Sorry about that. Did you get the rendering of the middle building? Is that in your packet?

SUPERVISOR DUNNING: Uh-huh.

MR. SCHULTZ: All right. Good. Two out of three.

SUPERVISOR DUNNING: We had everything but the doctors' office or proposed doctors' offices. Am I correct? Does anybody have any --

COUNCILWOMAN SPERR: I think that's right.

MR. SCHULTZ: The intent is all three would have similar colors and fit together. And we're presenting this as a -- basically a full development in -- you know, parking and obviously shared -- came up with a nice name for it and all that good stuff.

Also in the interim we have taken care of the traffic study. We had SRF do a look. Key parts of the development is the elimination of the access road off of Attridge which is something that I guess has been a nuisance and that traffic study came back very positive. No -- no requirements for any improvements on Buffalo Road.

We have also done an extensive drainage and storm water report and we have provided a copy to Town staff. We're in a position now to hopefully go in front of the Planning Board next month and get through some of the Planning issues. So that was the big change from last time. Did want to just give everybody an opportunity to understand the change.

COUNCILMAN VALERIO: So why is this still a three-story building if you're not going to have the retail on the first floor anymore?

MR. SCHULTZ: Um, the building was always set for -- for that size. The -- the reason for the retail is -- the demand does not appear to be there and the last thing I think my client -- or the Town wanted to see is a lot of vacant space. The building itself has not changed. The footprint is exactly the same as what was proposed. It is just on -- on the main floor instead of retail, it will be housing.

COUNCILMAN VALERIO: So will that require a variance?

SUPERVISOR DUNNING: Well, it will have to be included in the details of the incentive if we're going to allow a three -- because typically a three-story building would require a variance, but because this is an incentive zoning application, they can then define all of the features that they're looking for, any of the variances, things like that are all included in the incentive -- the incentive package. So short answer to your question is no.

COUNCILMAN VALERIO: No.

SUPERVISOR DUNNING: But because it will be identified.

COUNCILMAN VALERIO: The reason I ask, because in another situation like this, the developer needed three floors to have two floors of apartments to support the retail in case there was vacant spots. But with three floors, obviously now you're talking -- we know there is a demand for apartments right now. So it -- it wouldn't necessarily fit the -- the lay of the land.

MR. SCHULTZ: There was also some discussion about some other lands that are close to this and across the street and what could potentially be using that. So this is an area that is going to have a little bit of urban renewal so to speak. So we anticipate with the additional housing, there will be -- hopefully it will spur some demand for some -- some area development more in line with commercial.

COUNCILMAN SLATTERY: Chris (Schultz), if I can, you said there are no improvements required on Buffalo Road. What do you mean in regards to that, because you are going to create an access onto Buffalo Road?

MR. SCHULTZ: Yes, sir. My referral is more in related to turn lanes, signalized intersections or major lane improvements that you would see associated with larger developments. So, of course, we would have the -- the access improvements on Buffalo Road.

COUNCILMAN SLATTERY: By eliminating one on Attridge, as well?

MR. SCHULTZ: Correct.

COUNCILMAN SLATTERY: Being very familiar with that area, travel that multiple times daily, I see the office, how busy they are and so forth and the traffic that is there. Also, when -- the Planning Board, but also the drainage issues that occur, especially by the hydrant that is right there by the access that is on Attridge. So I know there's a -- drainage issues.

I know our Superintendent of Highways/Commissioner of Public Works, he has been out there. He went out there and did drainage work behind the parcel and then where you're proposing to put some of this development.

MR. SCHULTZ: Right. That was -- that was something that was brought to our attention early on so we did do an extensive drainage report on the entire project. Besides the pond, we actually also completed a full storm water pollution prevention plan and submitted copies of that, too. We wanted to make sure we weren't missing anything early on. So we went a little overboard. Again, we wanted to be able to answer -- it is always traffic and drainage. Those are the big Planning issues. So we figured we would get ahead of it because we knew we would need to do that. So why wait and we have already provided that information.

COUNCILWOMAN SPERR: I do like the looks of the design that you have captured here for the project and it does look very nice. So...

MR. SCHULTZ: Yeah. We -- one of the -- one of the things, you have the smaller sections, but it was -- it was important to kind of get a feeling of what it would look like, you know, from across the street, looking at it. So -- so we did some perspective views. We also have one from the folks on Attridge, looking back at it. We did -- we paid particular attention to how we can shield all of the parking lots, the head -- the spray from the headlights. So in addition to the berm associated with the pond, we're proposing white fence, vinyl fencing so there would be no view of any of the cars from folks on Attridge. Then we would also augment with landscaping to break up the big white wall, so to speak. So we're trying to anticipate the -- the concerns ahead of time.

COUNCILMAN SLATTERY: But it -- as James (Valerio) mentioned, you already said it was three stories. So Attridge's elevation is higher than Buffalo Road. So they will be seeing something. It -- unless you put a -- the twin towers --

MR. SCHULTZ: They're going to see the building. There is no question about it. Our -- our idea was to take away what the nuisance would be. Seeing the cars coming in, the headlights swinging, that type of thing we can eliminate. So yes, you would see, you know, the building in the distance and that's

COUNCILMAN SLATTERY: We hear that about our Community Center. People on Chili Avenue can look over at Target and Wegmans and see the Community Center.

COUNCILMAN SPERR: I thought that was a good thing. If they're looking for it, there it is.

MR. SCHULTZ: And this -- this is one of the major entrances into Chili. It is nice to -- this will be a good financial investment in that whole area, all tied in nicely.

COUNCILMAN SLATTERY: One of the comments I had at the last time we met was -- in speaking with the neighbors. Have you done that at all by any chance?

MR. SCHULTZ: Not yet. We didn't want to basically light up your phones until we actually got through the planning initially. Obviously the Planning Board, their expertise is to -- to ferret out a lot of the potential issues. We much rather be in front of the public once we have had, you know, those opportunities to get past that point.

COUNCILMAN SLATTERY: As I mentioned living in the area and then watching the other development, the affordable housing, subsidized housing, the group homes and so forth that went in on Union Square, I -- plenty of my neighbors know my involvement with the Town and like to talk to me about things.

MR. SCHULTZ: Absolutely.

COUNCILMAN SLATTERY: So I'm sure that if you -- before they -- before they went, they -- the other development, you know, they reached out a little bit, you know, maybe -- that is why I recommended that maybe you do that.

MR. SCHULTZ: Absolutely. We have done that with other projects where we had different meetings in Gates. They actually allowed us to host a meeting in one of their main rooms and they invited all of the neighbors. We also had projects where we have gone door to door and -- so yes, I mean

COUNCILMAN SLATTERY: If you minimize --

MR. SCHULTZ: A lot of effort up front saves a lot of headache.

COUNCILWOMAN SPERR: It will help.

MR. SCHULTZ: I was telling Joe (Gizzi) about a meeting I did in Parma last week for a rezoning and the way it was set up, somebody got on Facebook and suddenly it went from a little single-family

residential subdivision to a low-income housing apartment complex. We had over 100 people because they were like -- like got bad information. You know, certainly I -- I don't need that again.

COUNCILWOMAN SPERR: You can help yourself not get to that point following his suggestion.

MR. SCHULTZ: Absolutely. Absolutely.

SUPERVISOR DUNNING: And we're more than willing to give you space to have a public meeting should you decide to do something outside of the Town Board realm. So we can help you with that.

Any other questions from the Board?

So what our thing is here, we did initially recommend that they go to the next phase, which is to go to the Planning Board for a referral back to the Town Board.

So is there any objection to now sending this applicant over for that -- for that -- to the Planning Board to review it for their input?

COUNCILMAN SLATTERY: Before you go there, just regarding -- you mentioned the traffic study. Changing from the commercial to the residential, what is the -- the difference between the two?

MR. SCHULTZ: It basically did not change the level of service. And the -- the traffic impact analysis will be updated to whatever we -- we end up with after we get the initial planning review. So basically, the commercial generates more traffic than the apartments so we know it will decrease. So it went from no significant impacts to --

COUNCILMAN SLATTERY: Lesser.

MR. SCHULTZ: -- lesser.

COUNCILMAN SLATTERY: And then also the peak time things, as well, businesses, they're going to be periodic throughout the day. Peak times are going to be more in your rush hour and so forth more in the afternoons?

MR. SCHULTZ: Yep.

COUNCILMAN SLATTERY: Any proposed sidewalks that are -- that you're looking at in that section? Because we do have sidewalks that stop down by the old service station. I really -- on this one plan I have, I don't really see anything.

MR. SCHULTZ: We'll take a look at that. I mean sidewalks are great if they're used and they're in the right location. I'm always hesitant to put sidewalks along major arterials because it's a little, you know -- it is not as safe. But again, that is something we certainly can look at.

COUNCILMAN SLATTERY: That is why I mentioned it. Because I know there are after-school programs at the Churchville-Chili School District, as you're familiar with, down the road and after school when kids are playing sports or what have you -- or an event, they do walk down Buffalo Road. Granted once they're in Riga, the speeds are higher and so forth. So you come into Chili, the speeds are supposed to be reduced, but we know the 85th percentile is higher than the speed limit. So just to have them maybe it would help. It's not a long area, but...

MR. SCHULTZ: Certainly. So we can -- we can look into that.

COUNCILMAN SLATTERY: We have a Sidewalk Fund in Town and we're -- we have had plenty of discussions about where we should be putting sidewalks. So...

COUNCILWOMAN SPERR: Chris (Schultz), there was a sidewalk study done. There are some records here and there are recommendations. I believe that might have been an area they were looking at. So if you wanted to --

MR. SCHULTZ: We definitely can do that and I'm sure --

COUNCILWOMAN SPERR: We do have a copy of that here in Town.

SUPERVISOR DUNNING: What I would suggest at this point is that we're fortunate enough to have two people here that would deal with the Planning Board on some of these issues. Mr. Lindsay and Mr. Wanzenried snuck into the back door here for a minute and I would ask that they take note of what the Town Board is asking for in consideration when it does get to Planning Board, that that question is brought up and considered in the overall plan. Is that --

COUNCILMAN SLATTERY: Absolutely. And not asphalt sidewalks. Concrete sidewalks. We know, but somehow it got in another area.

SUPERVISOR DUNNING: That is what you get for showing up.

COUNCILMAN SLATTERY: But I know also if you go to the Town of Greece, years ago they used to do the sidewalk program and they had the individual house, right on English Road, sidewalk to nowhere.

MR. SCHULTZ: They still do that. Even if the sidewalks are not on the road, they still basically take an easement and anticipate it and they actually charge the developer for some funds that go into the sidewalk.

COUNCILMAN SLATTERY: Well, Chris (Schultz), they actually installed the sidewalk. So one house, a frontage lot, and one house has sidewalk and --

MR. SCHULTZ: I seen that, too. They figured --

COUNCILMAN SLATTERY: We'll connect it sometime.

MR. SCHULTZ: I have one of those a couple neighbors down. It's silly, but it's there.

COUNCILMAN SLATTERY: Right.

SUPERVISOR DUNNING: Any other questions? Concerns?

COUNCILMAN SLATTERY: Thank you for your time.  
SUPERVISOR DUNNING: Are we okay to send them to Planning Board for the next phase?  
COUNCILWOMAN SPERR: I'm okay.  
SUPERVISOR DUNNING: Seeing no objections, gentlemen, good luck at the Planning Board.  
COUNCILWOMAN SPERR: Thank you.

# THE DAILY RECORD

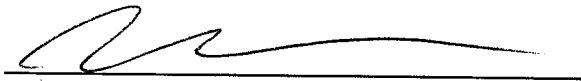
## AFFIDAVIT OF PUBLICATION

STATE OF NEW YORK  
County of Monroe, ss.:

Order #: 12150764  
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 8/31/2022 and ending on 8/31/2022. 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 <sup>18<sup>th</sup></sup> ~~31<sup>st</sup>~~ day of <sup>October</sup> ~~August~~, 2022



Ben Jacobs  
Authorized Designee



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

### LEGAL NOTICE PUBLIC HEARING TOWN OF CHILI

The Chili Town Board will conduct a Public Hearing on September 14, 2022 at 7:00 p.m. to consider rezoning 4, 10, 12, 14, 16 and 18 Beaver Rd. Ext., and 243 and 257 Archer Rd. from LI (Limited Industrial) to R-1-15 (Residential Single-Family).

The meeting will be held at the Chili Town Hall, 3333 Chili Avenue, Rochester, NY 14624. Anyone wishing to speak for or against this proposed rezoning may do so at this time. Please contact the Chili Town Hall by September 9, 2022 if you require special accommodations for the meeting. The meeting can also be viewed online at: <https://www.youtube.com/channel/UCDPIZ4msE6QKH6Cjz1WSGMw/featured>

Virginia L. Ignatowski, Town Clerk  
Chili, N.Y.  
12150764 8-31-1t

IAN T. HOGUE  
Notary Public, State of New York  
Monroe County Reg. # 01HO6416018  
Commission Expires 04/05/2025



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PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on September 14, 2022 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss 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).

Attendance as previously noted in the 9/14/22 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

JOHN CAIRNS, American Packaging/100 ABC Drive

MR. CAIRNS: Good evening. My name is John Cairns. I'm the Plant Engineer for American Packaging on 100 ABC Drive off of Beaver Road. We just wanted to talk a little bit about the Archer Road rezoning.

We had some concerns. We are not in opposition to the rezoning, but I'm not sure how many of you are familiar with our property line. When you come in, we take the right -- all of the truck traffic goes to the right side for shipping and receiving. Our pollution control devices are on the right side and right now there's only a chain-link fence. So we're a little bit concerned that if we build -- and I'm sure they're going to be very nice, high quality, high-priced houses in that development -- that we don't get charged with any mitigation that might be required due to residential houses being that close to the property.

The houses across the street are -- have -- are fine and they -- we don't get complaints from them. The houses across Archer Road, the same way. We don't get complaints from them. But these houses could come right up to the fence line where we have 16 to 24-hour truck traffic. We have lighting and pollution concerns. We would just like to request that whoever is going to develop that would be responsible for doing the mitigation. If there are walls that are needed, if there are trees that are needed, if there is sound-muting devices needed. We don't want to go from what we consider being a very good neighbor -- and we hope you guys see us that way -- to a neighbor that is not viewed in the same light because of the rezoning.

SUPERVISOR DUNNING: Thank you. And -- and it should be noted that currently there is no proposal for any development on the site that I'm aware at this point any ways. And I -- I would ask Mr. Lindsay, as part of your question, as -- as an existing approval for American Packaging, anything that would go in subsequently after them would not be responsible from -- it would be the -- the -- the new project that would be responsible for any required buffering, correct? We can't go back --

DAVID LINDSAY: That's correct. I don't think you would see something -- if there was a residential development there, you would probably see something that would require some sort of a vegetative buffer remain between the properties or some sort of grading to provide the visual buffer between those. But nothing -- and American Packaging wouldn't be mandated to do anything.

SUPERVISOR DUNNING: Thank you. And American Packaging, I live in the neighborhood. American Packaging has been great neighbor, but I still hear you from my house.

MR. CAIRNS: Okay. That is all I have.

SUPERVISOR DUNNING: Thank you. Anyone else?

RAHUL KOHLI, 243 Archer Road/Orange Tree Circle

MR. KOHLI: Good evening. Thank you all. My name is Rahul Kohli. We own the property at 243 Archer Road. And I have a few concerns based off the Town's downtown revitalization initiative application. The Town's direction was not single-family homes. So my concern is why are we changing course when we have had such a strong view of what should happen to downtown Chili? So I'm asking the Board if there is any explanation for the R-1-15 zoning change?

SUPERVISOR DUNNING: The -- you and I have had this discussion.

MR. KOHLI: Correct.

SUPERVISOR DUNNING: All I can do is repeat what I said to you before. Part of the -- well, yes, American Packaging is an industrial -- there is no doubt it's an industrial site right behind your property. We will have a park to the -- to the north side of your property and then to the -- to the immediate south and -- and immediately east from your property is all highly residential.

And -- and it was -- it was felt that including that section -- and we discussed this as part of our -- our comprehensive planning, to look at this piece of property and consider this to be rezoned as a

residential and that is really the driver behind that, is what is more -- yes. You are adjacent and -- again, you're adjacent to industrial. I –

MR. KOHLI: Adjacent to industrial and railroad tracks. And, yes, in Chili there are railroad tracks everywhere.

SUPERVISOR DUNNING: Yes, there are.

MR. KOHLI: We discussed that.

SUPERVISOR DUNNING: Yes, we did.

MR. KOHLI: I just don't see it flowing with the Town's view. The Town published this application and -- I mean you read this clearly. And it -- it specifically states what the intent is, the amenities for the 160 homes that Faber built. It shows that there is a need for -- I mean you guys have read it. The Town put it out when they applied.

I just -- I would like to state that I'm not opposed to it. I just don't understand it. And so as a Town resident, as an investor here and as a local developer, I kind of need some more from the Town. Because we base our investments on your guidance. We want to go with what the Town wants. So all of a sudden, we have made an investment in the Town and now it's shifted. And we don't want to be sand-papared with the Town. We want to work with you.

COUNCILMAN SLATTERY: Excuse me, if I can. Where are you in regard to this?

MR. KOHLI: We are the 28-acre parcel, the 243 Archer Road.

COUNCILMAN SLATTERY: Yep.

MR. KOHLI: We're right to the south of the railroad tracks.

COUNCILMAN SLATTERY: Uh-huh.

MR. KOHLI: And to the east of American Packaging. So our concerns are the same, that if we build these beautiful homes and we live in Blueberry -- sorry. We live in Bellaqua and I live in Orange Tree. We hear it, but we're not right up against it. And so we look at this parcel and we think it's in the Town's -- the community's best interest to not put single-family homes in there.

COUNCILMAN SLATTERY: So for my clarification, you own the vacant property?

MR. KOHLI: Yes, sir.

COUNCILMAN SLATTERY: But you're saying you live over in Orange Tree?

MR. KOHLI: I live in Orange Tree.

COUNCILMAN SLATTERY: So I didn't know if you lived in one of these houses right there.

MR. KOHLI: No, no. 100 percent. I get you. Thank you.

SUPERVISOR DUNNING: For -- for the Town Board's benefit -- Rahul (Kohli) and I had a very nice conversation about this property.

MR. KOHLI: Yes, we did.

SUPERVISOR DUNNING: And trying to -- you know, we discussed the whole thing and one of the things -- and I will be honest with all of you and lay it out there because I did mention it to Rahul (Kohli), there is also the possibility if we want to separate out this particular parcel and keep this so that -- the challenge with the property -- with the -- with some of the area is on Beaver Road Extension and that one property, the Ketchums' property on Archer Road, that there was complications a while back with one of the homes that was bought maybe three years ago, four years ago that the property owner had some challenges with their mortgage, I believe, and with their insurances and things because it was zoned Limited Industrial. And getting it -- and it -- should the house burn down, somebody drive through it, some damage happens to the house, they could not rebuild on that property based on our code.

So the Building Department did a great job working with the homeowner and working with the -- with the bank, I believe, and some other people to kind of get it to the point where we said, "Yes, you could, as long as you built it" -- I believe -- "on the same footprint, that you would be" -- "we would allow you to rebuild your home."

So we were able to get that working for -- but for those property owners, the best thing that could happen there is that those get zoned R-1.

MR. KOHLI: I'm not opposed to that.

SUPERVISOR DUNNING: I understand that. My point is separate -- I'm trying to separate the two out, Rahul (Kohli). I'm trying to make sure that Board completely understands what our conversation was, too, is that -- that it is in the best interest of the people who actually own the homes that that be done as R-1-15. As far as the other property, if this Board decides to do so, we could remove that part of the R-1 and leave that as the LI. So –

MR. KOHLI: I appreciate –

SUPERVISOR DUNNING: I'm not making any suggestions. I'm not trying to tell anybody -- I'm just giving an option as part of this.

COUNCILMAN SLATTERY: And we -- that came earlier this year regarding that one house, if a car went into it and so forth, that is something we discussed here openly. Your intention -- do you -- I mean are you looking to build homes there?

MR. KOHLI: Our intention was not to build homes. Our intention, and with the Town's blessing and Planning Board's blessing and everybody locally, we would like to see senior living. We're not ready to develop it for that yet, but that is our goal. We want to work with the Town. We had no intentions of

putting single-family homes there. And that was based upon the information that the Town said they wanted that there. So I appreciate the opportunity and thanks for your time.

COUNCILWOMAN SPERR: Thank you.

SUPERVISOR DUNNING: Thank you.

BARB DENIGRIS, 254 Archer Road

MS. DENIGRIS: Sorry I couldn't be here on time. My name is Barb Denigris, 254 Archer Road. I have lived there 47 years. And this is kind of a side problem that is going to come up and has been there for a long time now.

The truck traffic on Archer Road, Beaver Road Extension and Beaver Road has become outrageous.

It is a -- first of all, it's a 30-mile-per-hour 4-ton Town Road. 18-wheelers should not be going up and down there. I can't keep my windows open facing the road because of the dirt that comes flying in. Not to mention the noise.

Secondly, that neighborhood has become -- it's beginning to fill up with -- with young families, with young children, grandchildren, as well. The trucks are actually using Beaver Road Extension to go from APC, through there, north on Archer.

I happened to be pulling out of my driveway one day and an R&L truck, which is one of the worst offenders, was going north on Archer. So I followed him up to the intersection of Archer and Paul. He made a left-hand turn -- which that intersection is not made for large trucks -- went up to the main intersection in Chili, went through onto Chili Coldwater Road, made a left onto 490 and headed -- his destination was Gates Albert. There's no reason why he couldn't have turned right out of the paper company and headed up Beaver Road, gotten to the same destination by taking State roads.

I have always been under the impression that my Town government is there to protect all of us. I don't care what kind of business they have and what -- how expedient it might be for their GPSs to take them down those roads. They don't belong there. And if we're talking about making that area residential with young families, we better do something about the trucks.

And not to mention the speed. I don't even think about the garbage trucks and the local -- what seem to be local construction cups -- trucks that are going down -- they have to get someplace in Chili most likely. But there's a lot of traffic that goes down Archer, heads left and goes into Henrietta when they could keep going on Paul Road, go down south -- Scottsville Road and get to Henrietta just, as well.

So I followed this truck to Gates Albert and then I clocked -- I timed it with my odometer, the distance between where he took it -- his traffic -- his destination and his route and then I did the same thing -- going up later on in the day I did the same thing going up north -- or west on Beaver Road and then on Chili Avenue, up Union Street and there was about a difference of a half a mile.

So I'm saying we're tired of the trucks. They're dangerous. Casella's truck company I have called twice now and told them that their trucks are speeding. They're going at least 50. They get across the railroad tracks and they head south on that road lickety-split and they end up as they get over the overpass -- the hump in the road, then they will slow down because they have to stop for the light. I don't even know why Casella trucks go up and down there anyway. I don't know where they're heading.

But if we're going to talk about turning that area into residential, which is what the problem was for Rose Hill -- that curve in Beaver Road finally was fixed a little bit. And it was made a little wider. There is a turning lane there for them for people going on. But when I first heard about that, I thought that was absolutely ridiculous.

And the road is falling apart. And so Archer Road is going to start falling apart, too. And that's going to be our tax money going down the drain because I'm assuming the Town took care of resurfacing it a few years ago? I don't know who did that, but -- so anyway, I am hoping that this topic comes up again and that we talk about it seriously because that's going to be a problem for the people who are moving into the Town.

I love sharing my little corner of heaven down there. I love Chili. I stayed there for all these years, but we need to -- we need to expand smartly and take care of the people that are coming after us.

I also have a quick question. I could probably call in with this one, but when was the last time our last Comprehensive Plan was done?

SUPERVISOR DUNNING: The 2030 Comprehensive Plan was done in 2020.

MS. DENIGRIS: 2020. Okay. Thank you.

SUPERVISOR DUNNING: Or no, sorry.

DAWN FORTE: Right now.

COUNCILWOMAN SPERR: We're doing it right now.

SUPERVISOR DUNNING: We're doing the update right now. That was just -- that was -- I know this is off topic, but -- but that is on tonight's agenda.

MS. DENIGRIS: Oh.



SUPERVISOR DUNNING: But we just completed an update to the plan. So for all intents and purposes, 2022 was the last update and barring -- pending approval from the Town Board, that plan will be updated and will be online shortly.

MS. DENIGRIS: Remember that -- remember that commercial road we were going to put in where the paper company was? That would have been a wonderful idea, taking care of everything.

COUNCILMAN SLATTERY: David (Dunning), if I -- sorry. Go ahead.

COUNCILWOMAN SPERR: Barb (Denigris), I remember when I was liaison to Traffic and Safety, you had come in repeatedly talking about speeding on Archer. I do remember that. But I'm not sure -- Mark (DeCory) is currently the liaison. They can go out and check speeds of the trucks. So if Casella is speeding, that can be monitored and checked to verify that and it's a little bit easier to get someplace when you kind of got some facts. It's hard to tell when you're sitting there still how fast they're actually going. You will hear that all of the time if you bring it up to Traffic & Safety. But we can still check that for you.

MS. DENIGRIS: That would great.

COUNCILWOMAN SPERR: And then call in.

MS. DENIGRIS: Those are big trucks. And the problem is we have people going in and out of their driveways there. They're pulling in and out all of the time.

COUNCILWOMAN SPERR: We're a little off topic.

MS. DENIGRIS: Thank you.

COUNCILMAN SLATTERY: Actually, David (Dunning), I was going to go to Dave Lindsay in regards to Traffic & Safety and see if maybe when they come to your next meeting, if that can come up. Mark (DeCory), as well. I'm not sure if there's a history, people are aware of it. But, you know, just something to look at. And, Dave Lindsay, I have a question for you. She mentioned a 4-ton road. Is that Archer? Is that what it is rated for and is it a seasonal or is it a year-round that trucks can go on that?

DAVID LINDSAY: It has a year-round rating of 4-tons. We had issues in the past where we worked with County and State Troopers where they did some load checking out there. On occasion we have reached out to the various vendors to talk to them about their routing of their trucks. So it sounds like it is maybe a continuing issue and we'll have to speak to the Sheriffs again to satisfy if they can get out there.

COUNCILMAN SLATTERY: Thank you.

MS. DENIGRIS: Sounds like some fees would be a good idea.

SUPERVISOR DUNNING: I would just confirm some of that. I know it's a 4-ton, because my GPS tells me I can't take my motor home out of my driveway and go onto Archer Road. It's a little bit of a challenge there.

But -- and I -- I would ask -- Barb (Denigris), I know where you live. You know where I live. If you -- if you see these trucks and you can identify who the carrier is, if you would email your -- or drop me -- give me a call and let me know. We have had some success getting directly with the carriers and telling them that, you know -- letting them know that "That is a 4-ton road and you're not supposed to be up this road. If it continues, we'll make sure that the Sheriff is well aware of the situation and we'll take care of it that way." And we have had some, though limited -- Roadway used to be very common and I don't see those trucks going up and down our road anymore. But certainly if you can identify the trucks and let me know, we'll get directly to those people. Okay? I'm not home all day, so I don't see it as much as you do.

COUNCILWOMAN SPERR: And the time --

MS. DENIGRIS: It's actually all night, too. I'm -- I happen to be a night owl and they go up and down there at 1 and 2 in the morning.

COUNCILWOMAN SPERR: So the time --

COUNCILMAN SLATTERY: American Packaging is a good neighbor, though; right?

MS. DENIGRIS: Oh, are they here?

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

#### JOSE CASAVARDE, 4 Beaver Road Extension

MR. CASAVARDE: My name is Jose Casaverde. I live at 4 Beaver Road Extension. I actually have a home and I was trying to buy it -- you guys actually helped me get a letter to be able to get the loan through the bank. More than anything, I just had a question of when this gets rezoned, does that affect like any of the assessment or tax rate or anything like that? Or would that all stay the same?

SUPERVISOR DUNNING: I can't completely answer that question. And I would say if this gets rezoned. Because we take the Public Hearing input tonight. We will not make a decision on this this evening.

MR. CASAVARDE: Yeah.

SUPERVISOR DUNNING: Because it is -- probably not. And I will say in the case of Rahul (Kohli)'s case, it would affect his property assessment. Not a lot, but it would affect it because his is assessed as

vacant land still. Even though it is Limited Industrial, it is still assessed as vacant land. Your property is developed. You have a house and you have other things on your property right now.

MR. CASAVARDE: Yep.

SUPERVISOR DUNNING: I'm -- I'm going to -- I can't answer that completely and I really -- the Assessor is the only one that could -- it will not increase the value of your property by any means.

MR. CASAVARDE: Okay. I didn't know how it all worked. If we're Limited Industrial it's one rate and --

SUPERVISOR DUNNING: It is.

MR. CASAVARDE: -- and all of a sudden you're Residential and then --

SUPERVISOR DUNNING: What?

VIRGINIA IGNATOWSKI: Tax rate is a tax rate. There is no differentiation.

SUPERVISOR DUNNING: The assessment. I know what he -- I'm sorry. The tax rate is the tax rate. The Town's tax rate is one thing. You're talking about the assessed value of your property. Will you pay more taxes or less taxes based upon the zoning.

MR. CASAVARDE: I didn't know if you rezone it and then two weeks later I get a letter, "Your taxes doubled."

SUPERVISOR DUNNING: No. That is not going to happen. I can tell you that. There -- there is a difference in value in Limited Industrial property and Residential property. I don't know the exact numbers based on the assessed value of your home. I'm going to guess it's probably -- if anything, it would be maybe -- if at all, less, but it may be the same. Again, it's not going to go up. I can assure you of that.

MR. CASAVARDE: Okay. I just --

SUPERVISOR DUNNING: That's the assessed value of your property. Tax rates and things like that are different.

COUNCILWOMAN SPERR: Good question, though.

MR. CASAVARDE: All right. Thank you.

COUNCILMAN DECORY: Thank you.

DAVE KETCHUM, 257 Archer Road

MR. KETCHUM: I'm Dave Ketchum at 257 Archer. We're pleased to have it go to Residential, but I would like to ask a question -- you commented on senior living. Is your view maybe senior homes or --

SUPERVISOR DUNNING: That is actually -- sir -- sir, that question is not appropriate for this Public Hearing. The Public Hearing is related strictly to the rezoning of those properties. It has nothing to do with any future development or any current plans. It is strictly on the rezoning. If you would like to ask him when you leave the room, you're more than happy to do that, but for this Public Hearing, that is not appropriate.

MR. KETCHUM: Okay. Thank you.

SUPERVISOR DUNNING: Anyone else like to speak at the Public Hearing? Seeing none, I will close the Public Hearing.

The Public Hearing was closed at 7:42 p.m.

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At this point, a Public Forum was conducted to allow public speakers to address the Town Board. No speakers addressed the town Board.

The Public Forum concluded at 7:42 p.m.

**MATTERS OF THE SUPERVISOR:** Nothing to report.

**MATTERS OF THE TOWN COUNCIL:**

COUNCILMAN VALERIO: On October 1st, the Town will have their final bicentennial event. It's a Founders Day Picnic at Davis Park from 11 o'clock to 2 o'clock. Details are on the Town's website and it will kick off with a 5K race and a 1-mile walk at 10 a.m. You can sign up on the Town's website. We would love to have as many participants as possible. So if you're interested, just check out townofchili.org.

SUPERVISOR DUNNING: No, Mrs. Ignatowski, I am not running.

VIRGINIA IGNATOWSKI: You can walk it.

The 8/17/2022 Town Board meeting minutes were approved.

**REPORTS SUBMITTED:**

Advanced Payment of Claims – August 2022  
Building Department Report – August 2022  
Dog Control Reports – August 2022  
Monthly Financial Statement – August 2022  
Planning Board Minutes – 6/14/2022 (No Meeting in July or August)  
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

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

**OFFERED BY:** Councilman DeCory                      **SECONDED BY:** Councilman Valerio

**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.

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

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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:** Councilwoman Sperr

**SECONDED BY:** Councilman DeCory

**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
- (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.

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

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

**OFFERED BY:** Councilman DeCory

**SECONDED BY:** Councilwoman Sperr

**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](http://www.townofchili.org).

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

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**RESOLUTION #212 RE: Bicentennial 5K/Family Walk**

**OFFERED BY:** Councilman Valerio

**SECONDED BY:** Councilwoman Sperr

**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.

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

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**RESOLUTION #213 RE: Chili Fire Department Active List**

**OFFERED BY:** Councilman Slattery

**SECONDED BY:** Councilman DeCory

**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

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

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**RESOLUTION #214 RE: Chili Fire Department Remove from Active List**

**OFFERED BY:** Councilman Slattery

**SECONDED BY:** Councilman Valerio

**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)

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

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

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Slattery**

**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.

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

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

**OFFERED BY: Councilwoman Sperr**

**SECONDED BY: Councilman Valerio**

**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 #DA5130.2 (Machinery Equipment).

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

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**RESOLUTION #217 RE: 2022 Budget Amendments**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilman DeCory**

**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 FURTHER RESOLVED**, to transfer \$1,426.00 from A1110.4 (Justices – Stenographers) to A1110.2 (Justices – Equipment).

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

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**RESOLUTION #218 RE: Independent CPA Services**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Slattery**

**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.

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

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**RESOLUTION #219 RE: Length of Service Award (LOSAP) Pre-Entitlement Age Total and Permanent Disability Benefit**

**OFFERED BY: Councilwoman Sperr**

**SECONDED BY: Councilman Valerio**

**WHEREAS**, the Town of Chili sponsors a LOSAP program for the Chili Fire Department's members which allows for members meeting certain requirements to receive a Pre-Entitlement Age Total and Permanent Disability Benefit; and

**WHEREAS**, the Town has received an application from a member which Penflex agrees meets all of the necessary requirements to receive a Pre-Entitlement Age Total and Permanent Disability Benefit; and

**NOW, THEREFORE, BE IT RESOLVED** to approve the award of the Pre-Entitlement Age Total and Permanent Disability Benefit and authorize Supervisor Dunning to execute any necessary documents needed to facilitate the final payment.

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

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**RESOLUTION #220 RE: Funding for Town Hall Flat Roof EPDM Membrane Replacement**

**OFFERED BY:** Councilman Slattery

**SECONDED BY:** Councilwoman Sperr

**WHEREAS**, the Town of Chili is in the process of replacing the EPDM membrane of the flat roof at 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 replacement of the Town Hall roof; 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 replacement of the Town Hall flat roof EPDM membrane; and

**NOW, THEREFORE, BE IT RESOLVED** to amend expense budget A1620.2 (Buildings - Equipment) by an increase of \$160,000.00; and

**BE IT FURTHER RESOLVED**, to expend an amount not to exceed \$160,000.00 from the General Fund Assigned Unappropriated Fund Balance on the Town Hall flat roof EPDM membrane replacement.

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

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**RESOLUTION #221 RE: Town Hall Flat Roof EPDM Membrane Replacement**

**OFFERED BY:** Councilman Slattery

**SECONDED BY:** Councilwoman Sperr

**WHEREAS**, an infrared roof scan and roof inspection completed by Elmer W. Davis provided necessary information relative to the condition of the existing flat roof insulation and EPDM membrane at the Town Hall which was reviewed by the Commissioner of Public Works; and

**WHEREAS**, based on the results of said scan and inspection, it has been determined that the EPDM membrane has reached its maximum service life limit and is in need of replacement in order to ensure the long term integrity of the flat roof system; and

**NOW, THEREFORE, BE IT RESOLVED** to authorize Elmer W. Davis Inc. To complete the replacement of the EDPM membrane and any other associated work under The Interlocal Purchasing System (TIPS), Contract #21060301, for a cost not to exceed \$160,000.00 to be paid from Account # A1620.2 (Buildings - Equipment); and

**BE IT FURTHER RESOLVED**, the Supervisor of the Town of Chili, is hereby authorized to execute, on behalf of the Town of Chili, all necessary documents in furtherance of this resolution subject to review and approval of the Counsel for the Town.

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

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**RESOLUTION #222 RE: September 7, 2022 Abstract**

**OFFERED BY: Councilman Valerio**

**SECONDED BY: Councilman DeCory**

**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		<u>15,371.83</u>
Total Abstract	\$	290,615.26

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

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

The meeting was adjourned at 7:48 p.m.

Steno: Sandy Hewlett  
Minutes: Virginia Ignatowski; Town Clerk