

Chili Town Board Meeting
November 16, 2022
Agenda

A. Call to Order

B. Invocation

Pledge of Allegiance

C. Roll Call

Councilman **Mark L. DeCory**
Councilwoman **Mary C. Sperr**
Councilman **Michael S. Slattery**
Councilman **James V. Valerio**
Supervisor **David J. Dunning**

D. Officials/Advisors:

Town Clerk **Virginia Ignatowski**
Deputy Town Supervisor **Councilman Slattery**
Counsel for the Town **Jared Hirt**
Commissioner of Public Works/Superintendent
Of Highways **David P. Lindsay, P.E.**
Director of Finance **Daniel Knapp**
Insurance Counselor **Scott Bonnewell**
Supervisor's Office **Dawn Forte**
Stenographer **Sandy Hewlett**

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

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

E. Presentations/announcements:

1. Ed Martin, DDS – Incentive Zoning for 269 Ballantyne Road.

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

1. Demolition or Repair of Structure(s) at 768 Marshall Road.

G. Public Forum

The Public Forum is intended to provide an opportunity for people to address the Town Board on any topic. Those wishing to be heard may raise their hand once the public forum starts, The Supervisor will call upon those who desire to address the Town Board until all have been heard. For those who will be addressing the Town Board through our Live Streaming, may enter their comments on the live feed. Those comments will be read by the Supervisor once all who are physically present have been heard. During the Public Forum period, each person will be allowed to comment for up to five minutes. Comments should be addressed directly to the Supervisor. Be respectful and courteous keeping comments as concise as possible. Questions pertaining to Agenda items will be answered when the Resolution is Moved and Seconded, Questions on topics not pertaining to the Agenda will be addressed at the conclusion of the Public Forum time, if at all possible. Virginia L. Ignatowski, Town Clerk, or her designee will keep the time and notify you when you have seconds remaining so that you can conclude your comments within the allotted time.

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H. *Matters of the Supervisor* –

New Matters:

Pending Matters:

Matters of the Town Council –

New Matters:

Pending Matters:

I. Approval of Minutes – 10/12/2022

Reports Submitted –

Advanced Payment of Claims – October 2022

Building Department Report – October 2022

Conservation Board Minutes – 10/3/2022

Dog Control Reports – October 2022

Historic Preservation Board Minutes – 9/19/2022, 10/17/2022

Monthly Financial Statement – September 2022

Planning Board Minutes –

Recreation/Senior Center Report – October 2022

Town Clerk Report – October 2022

Traffic & Safety Minutes – 10/6/2022

Zoning Board Minutes – 9/27/2022

J. Correspondence –

1. The Town of Chili has received notification from John Schmoltze, Highway Department that he is resigning; effective October 11, 2022.
2. The Town of Chili has received notification from Daniel Stone, Public Works Department that he is resigning; effective November 11, 2022.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #240 RE: Authorizing Surety, Form, and Amount of Official Undertaking for the Faithful Performance of the Duties of the Town Clerk and Receiver of Taxes and Assessments

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

BE IT RESOLVED, as follows:

Section 1. The Town Board hereby approves the surety, form, and amount of the official undertaking for the faithful performance of the duties of the Town Clerk and Receiver of Taxes and Assessments as follows:

Type of Undertaking: Government - Form P-Faithful Performance

Insurance company: Utica National Insurance Group

Amount: \$500,000.00

Section 2. A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law Section 25.

RESOLUTION #241 RE: Adopting Assessment Rolls for 2023 for Lighting Districts, Drainage District, Fire District, Fire Protection Districts, Ambulance District, Park District, Sidewalk Districts and Sewer District

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

WHEREAS, this Board on October 12, 2022 commencing at 7:00 p.m., duly held public hearings on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2023, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance district, park district, sidewalk districts, and sewer district for 2023, and having heard all persons desiring to be heard in the matter and said assessment rolls for said fiscal year having been fully discussed and considered by the Town Board acting on behalf of all said Districts; and

BE IT RESOLVED, that the assessment rolls for 2023 for the various lighting districts, drainage district, fire district, fire protection districts, ambulance district, park district, sidewalk districts, and sewer district, as printed in the preliminary budget, are hereby adopted and established as the final assessment rolls for the fiscal year beginning January 1, 2023; and

BE IT FURTHER RESOLVED, that said assessment rolls be and the same hereby are filed in the Office of the Town Clerk.

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RESOLUTION #242 RE: Adoption of the Annual Town Budget for 2023

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

WHEREAS, this Board on October 12, 2022 commencing at 7:00 p.m., duly held public hearings on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2023, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance district, park district, sidewalk districts, and sewer district for 2023, and having heard all persons desiring to be heard in the matter of the budget for this Town for such fiscal year having been fully discussed and considered; and

BE IT RESOLVED, that said preliminary budget is approved and filed, including the budgets for the lighting districts, drainage district, fire protection districts, ambulance district, park district, sidewalk districts, and sewer district for 2023, and that such annual budget is so adopted as detailed in the minutes of the proceedings of this Town Board; and

BE IT FURTHER RESOLVED, that the salaries of the elected officials included in the 2023 budget and as set forth in the published notice are adopted as published; and

BE IT FURTHER RESOLVED, that the Town Clerk shall prepare and certify as provided by law, triplicate copies of the said annual budget hereby adopted and deliver one such copy to the Supervisor of the Town and two copies to the County of Monroe as required by law.

RESOLUTION #243 RE: Transfer to Equipment Reserves

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

WHEREAS, an auction of equipment was held in October 2022 and the Town received proceeds of \$79,950.00 for the sale of that equipment; and

WHEREAS, it has been advantageous to transfer the auction proceeds to equipment reserves for future use; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue budget A2665 (Sales of Equipment) by an increase of \$18,000.00 and amend expense budget A9901.9 (Interfund Transfers) by an increase of \$18,000.00; and

BE IT FURTHER RESOLVED, to transfer \$18,000.00 to the General Fleet Reserve; and

BE IT FURTHER RESOLVED, to amend revenue budget DA2665 (Sales of Equipment) by an increase of \$61,950.00 and amend expense budget DA9901.9 (Interfund Transfers) by an increase of \$61,950.00; and

BE IT FURTHER RESOLVED, to transfer \$61,950.00 to the Highway Equipment Reserve.

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RESOLUTION #244 RE: ARPA/ SLFRF Funds

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

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

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

WHEREAS, the Town of Chili has received funding from the SLFRF program and wishes to use proceeds from that program for the benefit of the community by purchasing a portable assisted hearing system for the Chili Community Center; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$4,600.00; and to amend expense account A1620.2 (Buildings - Equipment) by an increase of \$4,600.00.

RESOLUTION #245 RE: Portable Assisted Hearing System

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

WHEREAS, the Director of the Chili Public Library has identified the need for an assisted hearing system for use in the Ireland Room at the Chili Community Center; and

WHEREAS, the Recreation Director has identified opportunities to utilize an assisted hearing system in other areas of the Chili Community Center; and

WHEREAS, the Director of MIS has designed a portable assisted hearing system that can be used in multiple areas of the Chili Community Center leveraging the buildings existing audio system or portable public address speakers; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Management Information Services is hereby authorized purchase a Listen Technologies iDSP Prime Level III RF system, Shure BLX4 wireless receiver and microphones, and the associated hardware, cabling, and antennas to build a portable assisted hearing system from B&H Photo Video for a sum not to exceed \$4,600.00 to be paid from account A1620.2 (Buildings – Equipment).

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RESOLUTION #246 RE: Small Business Saturday

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

WHEREAS, the Town of Chili, celebrates our local small businesses and the contributions they make to our local economy and community; and

WHEREAS, according to the United States Small Business Administration, there are 32.5 million small businesses in the United States, small businesses represent 99.7% of firms with paid employees, small businesses are responsible for 62% of net new jobs created since 1995, and small businesses employ 46.8% of the employees in the private sector in the United States; and

WHEREAS, 79% of consumers understand the importance of supporting the small businesses in their community on Small Business Saturday®, 70% report the day makes them want to encourage others to Shop Small®, independently-owned retailers, and 66% report that the day makes them want to Shop Small all year long; and

WHEREAS, 58% of shoppers reported they shopped online with a small business and 54% reported they dined or ordered takeout from a small restaurant, bar, or café on Small Business Saturday in 2021; and

WHEREAS, Chili supports our local businesses that create jobs, boost our local economy, and preserve our communities; and

WHEREAS, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday; and

NOW, THEREFORE, BE IT RESOLVED, We, the Town Board of the Town of Chili do hereby proclaim, November 26, 2022, as

SMALL BUSINESS SATURDAY

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

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RESOLUTION #247 RE: Penflex Inc. Agreement

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

BE IT RESOLVED, that Supervisor Dunning is authorized to enter into a Service Fee Agreement with Penflex, Inc. to perform standard administrative services for the Chili Fire Department Inc. Service Award Program for the term November 1, 2022, to October 31, 2023, as well as actuarial services in connection with the GASB 73 required financial statement disclosures.

RESOLUTION #248 RE: Donation to the Senior Center Trust and Agency Account

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

WHEREAS, The Senior Center Trust and Agency Account was established in the year 2000 to hold proceeds from fundraising activities to benefit the Chili Senior Center; and

WHEREAS, Michael Curley, Director of Parks and Recreation, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to accept a \$1000.00 donation from Don and Diane Aselin to be deposited in the Senior Center Trust and Agency.

RESOLUTION #249 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 November 7, 2022:

Colin Whitley

RESOLUTION #250 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:

Chris Markert (10/23/2022), Austin Saur (10/10/2022)

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RESOLUTION #251 RE: Chili Fire Department Exempt List

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

BE IT RESOLVED, that the following individual(s) be added to the Chili Fire Department exempt list from the CFD active list effective October 3, 2022:

Josh Welch

RESOLUTION #252 RE: ARPA/ SLFRF Funds

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

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

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

WHEREAS, the Town of Chili has received funding from the SLFRF program and wishes to use proceeds from that program for the benefit of the community by providing funds to the Chili Fire Department, Clifton Fire Department and CHS Mobile Integrated Health Care to be used for the purchase of equipment and supplies necessary for the protection of the residents of Chili; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$165,000.00; and to amend expense account A9901.9 (Inter Fund Transfers) by an increase of \$165,000.00; and

BE IT FURTHER RESOLVED, to amend revenue account SF5031.0000.0103 (Inter Fund Transfers – Clifton FD) by an increase of \$55,000.00; and to amend expense account SF3410.4000.0103 (Fire Protection Contracts – Clifton FD) by an increase of \$55,000.00, and to pay Clifton Fire Department an amount of \$55,000.00; and

BE IT FURTHER RESOLVED, to amend revenue account SF5031.0000.0104 (Inter Fund Transfers – Chili FD) by an increase of \$55,000.00; and to amend expense account SF3410.4000.0104 (Fire Protection Contracts – Chili FD) by an increase of \$55,000.00, and to pay Chili Fire Department an amount of \$55,000.00; and

BE IT FURTHER RESOLVED, to amend revenue account SM5031.0000.0111 (Inter Fund Transfers – CHS Ambulance) by an increase of \$55,000.00; and to amend expense account SM4540.4000.0111 (Ambulance Contracts – CHS) by an increase of \$55,000.00, and to pay CHS Mobile Integrated Health Care an amount of \$55,000.00.

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RESOLUTION #253 RE: Establish Letter of Credit for Byrne Dairy

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

BE IT RESOLVED, that per the recommendation of the Commissioner of Public Works/Superintendent of Highways and Town Engineer that a letter of credit be established for Byrne Dairy in the amount of \$107,648.00.

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

RESOLUTION #254 RE: Letter of Credit Release #11 for Rose Hill, Phase 2

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$56,919.78 be released from the letter of credit #520006900 with the Bank of Castile for Rose Hill, Phase 2, leaving a balance of \$129,912.68; subject to engineering fees and street light bills to the Town.

RESOLUTION #255 RE: Letter of Credit Release #6 for Rose Hill, Phase 3

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$23,795.00 be released from the letter of credit #520006988 with Tompkins Community Bank for Rose Hill, Phase 3, leaving a balance of \$310,266.88; subject to engineering fees and street light bills to the Town.

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RESOLUTION #256 RE: Bids for Sidewalk Plowing

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

WHEREAS, on October 7, 2022, the Chili Town Clerk received written sealed proposals for the plowing of sidewalks for the 2022/2023 season. The proposals identified a total cost for the main general sidewalk areas, and for Sections 1-10 of the Park Place sidewalk district. Two proposals were received as follows:

Chris Krenzer
Bid Item #1 General Sidewalks
Bid Item #2 Park Place
Bid Item #3 Vista Villa's

Total Bid Amount – \$2,218.00

David Krenzer
Bid Item #1 General Sidewalks
Bid Item #2 Park Place
Bid Item #3 Vista Villa's

Total Bid Amount – \$2,437.00

NOW, THEREFORE, BE IT RESOLVED, to award the sidewalk plowing bid to the low bidder, Chris Krenzer at a cost of \$2,218.00 per trip for general area sidewalks, the Park Place Sidewalk District, and Vista Villa's.

RESOLUTION #257 RE: Purchase of Computer Equipment

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

WHEREAS, the Director of Management Information Services has determined that the Town needs to replace obsolete computer equipment that has passed its useful life; and

WHEREAS, the replacement of said equipment is in accordance with the Town's plan to replace obsolete computer equipment on a rotating basis; and

WHEREAS, to facilitate remote work and continuity of operations the Director of Management Information Services recommends desktop computers be replaced with laptop computers for users who may be required to work remotely; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Management Information Services is hereby authorized to purchase (7) laptop computers with docking stations and accessories, as well as 14 monitors with accessories for a sum not to exceed \$7,600.00 from account A1680.2 (Information Technology - Equipment) from Dell, under New York State Information Technology Umbrella Contract #PM20820; and

BE IT FURTHER RESOLVED, that the equipment being replaced and other outstanding obsolete IT equipment is hereby declared to be surplus equipment and that the Director of Management Information Services is hereby authorized to disposed of said equipment.

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RESOLUTION #258 RE: 2022 Budget Amendments

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

BE IT RESOLVED, to transfer \$1,000.00 from A1990.4 (Contingency) to A1430.4 (Personnel – Pre-employment Checks); and

BE IT FURTHER RESOLVED, to transfer \$2,500.00 from A1990.4 (Contingency) to A1430.4 (Personnel – Payroll Processing); and

BE IT FURTHER RESOLVED, to increase revenue account A1289 (Engineering Inspection Fees) by \$5,000.00, and to increase expense account A1440.4 (Town Engineer – Development Inspections) by \$5,000.00; and

BE IT FURTHER RESOLVED, to transfer \$16,880.00 from A1990.4 (Contingency) to A1620.4 (Buildings – Recreation Facility Utilities); and

BE IT FURTHER RESOLVED, to transfer \$15,000.00 from A1490.1 (Dept. of Public Works - Personnel) to A1620.4 (Buildings – Recreation Facility Utilities); and

BE IT FURTHER RESOLVED, to amend budget SL5182.4236.0304 (Street Lighting – Pumpkin Hill) by an increase of \$1,000.00; and

BE IT FURTHER RESOLVED, to amend Pumpkin Hill Lighting District Fund appropriated fund balance to \$2,000.00 from the 2022 adopted budget amount of \$1,000.00; and

BE IT FURTHER RESOLVED, to amend budget SL5182.4236.0312 (Street Lighting – Blueberry Hill) by an increase of \$1,300.00; and

BE IT FURTHER RESOLVED, to amend Blueberry Hill Lighting District Fund appropriated fund balance to \$2,550.00 from the 2022 adopted budget amount of \$1,250.00; and

BE IT FURTHER RESOLVED, to amend budget SL5182.4236.0335 (Street Lighting – Chili Consolidated District #1) by an increase of \$22,000.00; and

BE IT FURTHER RESOLVED, to amend Chili Consolidated District #1 Lighting District Fund appropriated fund balance to \$27,000.00 from the 2022 adopted budget amount of \$5,000.00; and

BE IT FURTHER RESOLVED, to transfer \$1,500.00 from A1490.1 (Dept. of Public Works - Personnel) to A1670.4 (Central Print - Postage).

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RESOLUTION #259 RE: October 19, 2022 Abstract

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

WHEREAS, January 3, 2022 Resolution #1 authorized vouchers to be paid October 19, 2022, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 40812, 41637, 41887-41908, 41912-41922, 41926-41935, 41937-41996, 42000 totaling \$149,882.97 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	\$	116,990.39
Highway Fund		27,905.31
Library Fund		3,744.36
Drainage District		879.38
Fire Protection Districts		363.53
Total Abstract	\$	<u>149,882.97</u>

RESOLUTION #260 RE: November 2, 2022 Abstract

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

WHEREAS, January 3, 2022 Resolution #1 authorized vouchers to be paid November 2, 2022, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 42005, 42007, 42013-42023, 42032-42043, 42055-42060, 42063-42065, 42069-42104, 42106-42128 totaling \$100,939.37 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	\$	56,811.40
Highway Fund		16,767.41
H61 Archer Rd Park		9,559.75
Drainage District		1,793.66
Street Lighting Districts		16,007.15
Total Abstract	\$	<u>100,939.37</u>

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RESOLUTION #261 RE: November 16, 2022 Abstract

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

BE IT RESOLVED, to pay vouchers 42105, 42129-42152, 42156-42168, 42170-42190, 42192-42193, 42195-42198, 42200-42201, 42207-42208, 42212-42214, 42217, 42219-42220, 42222-42225, 42227-42228, 42230-42275 totaling \$645,855.25 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 352,534.62
Highway Fund	229,560.52
Library Fund	60,240.80
Drainage District	3,282.84
Fire Protection Districts	<u>236.47</u>
Total Abstract	<u>\$ 645,855.25</u>

The next meeting of the Chili Town Board will be on December 14, 2022 at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.