

Chili Town Board Meeting  
December 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 **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:

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

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 – 11/16/2022

Reports Submitted –

2022 Y/E Report Architectural Advisory Committee  
2022 Y/E Report Assessor  
2022 Y/E Report BAR  
2022 Y/E Report Building Department  
2022 Y/E Report Conservation Board  
2022 Y/E Report Ethics  
2022 Y/E Report Finance  
2022 Y/E Report Historian  
2022 Y/E Report Historic Preservation Board  
2022 Y/E Report Library  
2022 Y/E Report MIS  
2022 Y/E Report Planning Board  
2022 Y/E Report Recreation Department & Senior Center  
2022 Y/E Report Town Clerk  
2022 Y/E Report Traffic & Safety  
2022 Y/E Report Zoning Board  
2030 Comprehensive Plan – Y/E Report 2022  
Advanced Payment of Claims – November 2022  
Building Department Report – November 2022  
Chili Recreation Minutes – November 2022  
Conservation Board Minutes – 11/7/2022  
Dog Control Reports – November 2022  
Historic Preservation Board Minutes – 11/14/2022  
Library Board Minutes – 10/25/2022  
Monthly Financial Statement – October 2022  
Parks & Recreation Minutes – 10/18/2022  
Planning Board Minutes – 10/11/2022  
Recreation/Senior Center Report – November 2022  
Town Clerk Report – November 2022  
Traffic & Safety Minutes – 10/6/2022, 11/3/2022

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J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from Guy Puglia, Chili Parks & Recreation Committee that he is resigning; effective December 31, 2022.
2. The Town of Chili has received notification from Matthew Renz, Highway Department that he is resigning; effective December 2, 2022.
3. Virginia Ignatowski, Town Clerk has received notification from Jeffrey Stoiber, Library Board that he is resigning; effective December 31, 2022.
4. Virginia Ignatowski, Town Clerk has received notification from Jim McLean, Chili Parks & Recreation Committee that he is resigning; effective December 31, 2022.
5. Virginia Ignatowski, Town Clerk has received notification from James Crelly, Chili Parks & Recreation that he is resigning; effective December 31, 2022.

K. Pending Business

L. Old Business

M. New Business

**RESOLUTION #262 RE: Fire and Ambulance Contracts**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, that Supervisor Dunning be authorized to sign Fire and Ambulance Contracts in accordance with the 2023 Budget, pending review of counsel.

**RESOLUTION #263 RE: 2022 Budget Amendments**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, to transfer \$75,000.00 from DA5142.4 (Snow Removal – Miscellaneous) to DA5130.4 (Machinery - Fuel); and

**BE IT FURTHER RESOLVED**, to transfer \$3,500.00 from DA5110.4 (General Repairs – Temp Help to DA5140.2 (Brush & Weeds - Equipment); and

**BE IT FURTHER RESOLVED**, to transfer \$10,000.00 from A8160.4 (Refuse/Garbage – Temp Help) to A3310.4 (Traffic Control – Road Striping); and

**BE IT FURTHER RESOLVED**, to transfer \$200.00 from A3510.1 (Dog Control - Personnel) to A3510.1 (Fire Marshal - Personnel); and

**BE IT FURTHER RESOLVED**, to transfer \$500.00 from A3510.1 (Dog Control - Personnel) to A3620.1 (Safety Inspection - Personnel).

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**RESOLUTION #264 RE: To Order Demolition of Structure(s) at 768 Marshall Road Owned By Kenneth M. Byrne (Deceased) & Rose M. Byrne (Deceased)**

**OFFERED BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_**

**WHEREAS**, the Building Department Manager of the Town of Chili has filed his report in writing with the Town Board of the Town of Chili containing his findings and recommendations regarding certain structure(s) situate on premises at 768 MARSHALL ROAD, TOWN OF CHILI, NY designated by Tax Map No. 134.17-3-91, in which report said Building Department Manager states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate demolition and removal; and

**WHEREAS**, the Town Board of the Town of Chili having held a public hearing(s) on November 16, 2022 and all interested parties having had an opportunity to be heard; and

**WHEREAS**, the Town Board of the Town of Chili after reviewing said report in regard thereto and after having duly deliberated upon the same, and having determined that the recommendations of said report should be implemented; and

**NOW, THEREFORE, BE IT RESOLVED**, that the proposed Order attached hereto is hereby adopted, subject to review and final approval of counsel of the town.

**UNSAFE BUILDINGS: ORDER TO REPAIR/REMOVE AFTER PUBLIC HEARING**

TOWN OF CHILI COUNTY OF MONROE  
STATE OF NEW YORK

\_\_\_\_\_  
IN THE MATTER

OF ORDER 768 MARSHALL ROAD, ROCHESTER, NY 14624

PROCEEDINGS TO REMOVE AND/OR REPAIR UNSAFE  
BUILDINGS AND COLLAPSED STRUCTURE(S)  
ON PREMISES REPUTEDLY OWNED  
BY KENNETH M. BYRNE & ROSE M. BYRNE (DECEASED)

\_\_\_\_\_  
TO KENNETH M. BYRNE (DECEASED) & ROSE M. BYRNE (DECEASED):

THE FOLLOWING IS AN ORDER OF THE TOWN BOARD OF THE TOWN OF CHILI, after conducting Public Hearing(s) held on November 16, 2022, in the above captioned matter;

Now upon the Building Department Manager of the Town of Chili, Monroe County, having filed a written report with the Town Board of the Town of Chili, regarding property located at 768 Marshall Road, designated by Monroe County, Tax Map No. 134.17-3-91, deeming the same to be unsafe to the public a copy of which is attached and incorporated herein.

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And the Town Board of the Town of Chili, after considering said report, and pursuant to the provisions of said local law, by resolution duly adopted at its October 12, 2022 meeting did set the date for Public Hearing(s), to determine whether, in the opinion of the Town Board of the Town of Chili that said structure(s) or building(s) are unsafe and dangerous and should be secured in the manner requested by the Building Department Manager.

And the Notice of the Public Hearing was published in the Official Newspaper of the Town of Chili on November 1, 2022.

And a copy of the Notice of Public Hearing was affixed to the building(s) in question on October 13, 2022.

And a copy of the Notice of Public Hearing was mailed to all known property owners on October 21, 2022.

And upon the Public Hearing(s) having been held on November 16, 2022, all exhibits and evidence and testimony presented therein and all interested parties having had an opportunity to be heard.

Now, therefore it is:

**ORDERED**, that

The remains of all structure(s) and foundations to the parcel should be demolished and all debris produced by such demolition should be removed from the property and safely disposed of in an appropriate land fill. After demolition, the excavation should be filled with clean fill and brought level with the grade of the parcel.

All brush and grass should be cut and cleared and the clippings removed from the property and safely disposed of in an appropriate land fill, and

**ORDERED**, all work, repairs and/or removal must be commenced within 20 days of the service upon you of this ORDER and be completed within 45 days thereafter unless for good cause shown such time shall be extended by the Town of Chili Building Department Manager, and

**ORDERED**, that in the event of any neglect or refusal to comply with this ORDER of said TOWN BOARD OF THE TOWN OF CHILI as detailed herein, the Town Board of the Town of Chili is authorized to provide for the demolition and/or removal of said structures and to assess all expenses thereof against the land on which they are located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

Dated: \_\_\_\_\_

Virginia Ignatowski  
Town Clerk  
Town of Chili

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**RESOLUTION #265 RE: Power Rotating Grapple**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the use of a power rotating grapple would facilitate more cost effective and efficient department operations related to tree removal, brush removal, and refuse and garbage operations during the Town’s roadway work projects in addition to drainage projects, general site related work and it would also reduce the use of other equipment that is larger and costlier to operate; and

**WHEREAS**, three (3) quotes were received for the purchase of a rotating grapples as follows:

<u>Company</u>	<u>Quote</u>
Clark Equipment	\$6,250.00
Wallenstien	\$8,500.00
Werk-Brau	\$14,900.00

**WHEREAS**, the Commissioner of Public Works/Superintendent of Highways has reviewed the submitted quotes and has made a determination that the proposal Bobcat of the Finger Lakes best meets the intent of the specification and requirements of the Town and is acceptable for the intended use and recommends that it be accepted; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the purchase one (1) new power rotating grapple from Bobcat of the Finger Lakes/Clark Equipment for a cost not to exceed \$6,250.00 with \$2,000.00 to be paid from account DA5110.2 (General Repairs – Equipment), \$3,250.00 to be paid from account DA5140.2 (Brush and Weeds – Equipment) and \$1,000.00 to be paid from account A8160.2 (Refuse and Garbage- Equipment).

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**RESOLUTION #266 RE: Establish Letter of Credit for Kings Crossing Extension**

**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 Kings Crossing Extension in the amount of \$548,879.52.

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.

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**RESOLUTION #267 RE: Letter of Credit Release #3 for Gilead Pond Subdivision**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, that per recommendation of the Commissioner of Public Works and Town Engineer that \$19,989.09 be released from the letter of credit #467 with LNB Banking for Gilead Pond, leaving a balance of \$76,645.79; subject to engineering fees and street light bills to the Town.

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**RESOLUTION #268 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 December 12, 2022:

Brett Gorton, Sophia Finger, Marissa Paniccia, Derek Hochbrueckner (Mutual Aid)

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**RESOLUTION #269 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:

Alexia Chatterton (11/21/22)

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**RESOLUTION #270 RE: Incentive Zoning for 1420 Scottsville Road**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, pursuant to the Resolution of the Chili Town Board (the “Town Board”) dated December 28, 2007 and the Incentive Zoning Agreement between the Town Board and University of Rochester (the “University”) dated December 28, 2007, as extended (collectively, the “Incentive Zoning Agreement”), the University operates an off-site parking facility (the “Project”) on property located at and adjacent to 1420 Scottsville Road in the Town of Chili, New York (the “Property”); and

**WHEREAS**, the current term of the Incentive Zoning Agreement expires on December 31, 2022; and

**WHEREAS**, the University continues to require the use and operation of the Project to accommodate its increased parking demands and in furtherance of its contemplated purposes as a world class educational, medical, and research institution; and

**WHEREAS**, the amended agreement entered into on January 1, 2018 between the University and the Town of Chili included the right to an additional term of five (5) years commencing on January 1, 2023 and expiring on December 31, 2027; and

**BE IT RESOLVED**, the Town Board, authorizes the Supervisor to sign an extension of the incentive zoning agreement, term to commence on January 1, 2023 and expire on December 31, 2027.

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**RESOLUTION #271 RE: Loomis Service Agreement**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town of Chili desires to contract with a professional security company to provide certain armored transportation services on behalf of the Town; and

**WHEREAS**, a contract is required to secure such services; and

**WHEREAS**, Loomis Armored US, LLC has provided a proposed contract to the Town to provide such services; and

**NOW, THEREFORE, BE IT RESOLVED**, Supervisor Dunning is hereby authorized to negotiate and sign a contract with Loomis Armored US, LLC for armored transportation services.



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**RESOLUTION #272 RE: December 7, 2022 Abstract**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

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

**WHEREAS**, Council did authorize by a majority vote vouchers 42276-42282, 42288, 42292, 42294, 42296-42299, 42307-42312, 42315-42316, 42320-42325, 42329-42354, 42358-42383, 42385-42396 totaling \$327,283.22 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	\$ 64,598.82
General Fleet Reserve	14,666.47
Highway Fund	77,917.93
Drainage District	1,500.00
Fire Protection Districts	113,600.00
Ambulance District	55,000.00
Total Abstract	<u>\$ 327,283.22</u>

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The next meeting of the Chili Town Board will be recessed until Friday, December 30, 2022 at 12:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.