

Chili Town Board Meeting
January 11, 2023
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.**

1. Incentive Zoning proposal for 269 Ballantyne 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 – 12/14/2022, 12/30/2022

Reports Submitted –

Building Department Report – December 2022, 2022 Y/E Report

Dog Control Reports – December 2022, 2022 Y/E Report

Planning Board Minutes -

Recreation/Senior Center Report – December 2022

Town Clerk Report – December 2022

Traffic & Safety Minutes – 12/1/2022

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #68 RE: Budgeted Use of Town-wide Drainage Improvement Reserve Funds

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

WHEREAS, on November 16, 2022 on Resolution #242, the Town Board adopted the 2023 Annual Town Budget, which noted the desire to utilize reserve funds for the purchase of materials needed for drainage improvement projects; and

WHEREAS, the Town-wide Drainage Improvement Reserve has been established to aid in making improvements to the town-wide drainage system; and

NOW, THEREFORE, BE IT RESOLVED, that funds in an amount not to exceed \$22,600.00 from the Town-wide Drainage Improvement Reserve be used towards the purchase materials needed in improving the town-wide drainage system, subject to Permissive Referendum; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to give notice in the official newspaper of the Town.

RESOLUTION #69 RE: Budgeted Use of General Fleet Reserve Funds

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

WHEREAS, on November 16, 2022 on Resolution # 242 the Town Board adopted the 2023 Annual Town Budget, which noted the desire to utilize reserve funds to purchase specific pieces of equipment; and

WHEREAS, the General Fleet Reserve has been established to aid in the acquisition of vehicles and equipment for the Town which is outside the parameters of equipment reserves already established for Highway Department vehicles and equipment; and

NOW, THEREFORE, BE IT RESOLVED, that funds in an amount not to exceed \$45,000.00 from the General Fleet Reserve be used to purchase a new pick-up truck for the Parks Department, subject Permissive Referendum; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to give notice in the official newspaper of the Town.

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RESOLUTION #70 RE: Budgeted Use of Recreation Facility Reserve Funds

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

WHEREAS, on November 16, 2022 on Resolution # 242 the Town Board adopted the 2023 Annual Town Budget, which noted the desire to utilize reserve funds towards the repaving of the Union Station Park parking lot; and

WHEREAS, the Recreation Facility Reserve has been established to aid in the financing of equipment, construction, reconstruction, acquisition or renovation of Park and Recreation facilities or grounds; and

NOW, THEREFORE, BE IT RESOLVED, that funds in an amount not to exceed \$80,000.00 from the Recreation Facility Reserve be used to repave the Union Station Park parking lot, subject Permissive Referendum; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to give notice in the official newspaper of the Town.

RESOLUTION #71 RE: 2023 Budget Amendments – Grants

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

WHEREAS, on October 12, 2022, on Resolution #232, the Town Board accepted a Community Development Block Grant from Monroe County which is to be used for the Archer Road Sidewalk Project, and work had not been completed as of December 31, 2022; and

BE IT RESOLVED, to amend the 2023 revenue budget A2706 (Grants from Local Governments) by an increase of \$51,521.00 and the 2023 expense budget A5410.4 (Sidewalks - Contractual) by an increase of \$51,521.00.

RESOLUTION #72 RE: Budgeted Use of Workers' Compensation Reserve

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

WHEREAS, the Workers Compensation Reserve was established in 2004 in accordance with General Municipal Law §6-j; and

WHEREAS, in an effort to reduce the tax burden and utilize the Town's reserves, the 2023 budget for workers' compensation was lowered, and excessive premiums were to be paid from the Workers' Compensation Reserve; and

NOW, THEREFORE, BE IT RESOLVED, to amend expense budget A9040.8000.0090 (Workers' Compensation – Reserve) by an increase of \$60,000.00.

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RESOLUTION #73 RE: Community Center Debt Service

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

WHEREAS, the Town has \$164,000.00 in its Debt Service Fund, which accounts for the accumulation of resources for the payment of Town debt; and

WHEREAS, as of December 31, 2022, the Town had \$836,000.00 in the General Fund Assigned Unappropriated Fund Balance for use towards payment of the Town’s Bond Anticipation Note (BAN), which was obtained for the construction of the new Community Center; and

WHEREAS, as part of the 2023 budget the Town budgeted \$1,000,000.00 for payment against the BAN’s principal, which was obtained for the construction of the new Community Center; and

WHEREAS, in an effort to reduce the fiscal burden on future budgets by minimizing future debt service expenses, the Town wishes to use funds from the Debt Service Fund and the General Fund Assigned Unappropriated Fund Balance for the costs related to paying off the Town’s BAN; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue budget A5031 (Inter-fund Transfers) by an increase of \$164,000.00; and amend expense budget A9730.6 (Bond Anticipation Note – Principal) by an increase of \$1,000,000.00; and

BE IT FURTHER RESOLVED, to transfer \$164,000.00 from the Debt Service Fund to the General Fund for the payment of the Town’s BAN; and

BE IT FURTHER RESOLVED, to expend \$836,000.00 from the General Fund Assigned Unappropriated Fund Balance for the payment of the Town’s BAN.

RESOLUTION #74 RE: 2023 Budget Amendments

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

BE IT RESOLVED, to transfer \$3,500.00 from A1990.4 (Contingency) to A1330.4 (Tax Collector - Contractual).

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RESOLUTION #75 RE: Purchase of Sweeper for Highway

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

WHEREAS, included in the approved 2023 budget is the purchase of one (1) new sweeper for highway; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase of one (1) Tymco 600 BAH Sweeper off the Onondaga State Wide Contract, Bid #7974 for a cost not to exceed \$333,000.00; to be paid from Account DA5130.2 (Machinery-Equipment).

RESOLUTION #76 RE: Letter of Credit Release Union Street Industrial, Phase II – Final

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$143,494.02 be released from the letter of credit #SB2409200001 with M&T Bank for Union Street Industrial, Phase II, leaving a balance of leaving a balance of \$0.00; subject to engineering fees to the Town.

RESOLUTION #77 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 January 9, 2023:

Anthony Raymond

RESOLUTION #78 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 December 19, 2022:

Chuck Keiser

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RESOLUTION #79 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 sponsoring the World’s Largest Snowball Fight in an effort to bring families together and support the local community; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$30,000.00; and to amend expense account A7550.4 (Celebrations - Contractual) by an increase of \$30,000.00.

RESOLUTION #80 RE: Use of Highway Facility Reserve – Highway Garage Demo

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

WHEREAS, on December 31, 1969, on Resolution #347, the Town Board established the Highway Facility Reserve, Pursuant to §6-c of the General Municipal Law, as amended, for the purpose of financing the cost of equipment, construction, reconstruction, acquisition or renovation of Chili Highway Facilities; and

WHEREAS, as part of the costs of constructing a new highway facility, which was completed in 2012, included the demolition of the old facility; and

WHEREAS, in an effort to reduce the fiscal burden on the current and future budgets, the Town wishes to use funds from the Highway Facility Reserve for the costs related to the demolition of the old highway facility; and

NOW, THEREFORE, BE IT RESOLVED, that funds in an amount not to exceed \$60,000.00 from the Highway Facility Reserve be used to pay for the costs related to the demolition of the old highway facility, subject to permissive referendum, to be paid from account A1620.4000.0009 (Buildings – Contractual – Highway Facility Reserve); and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to give notice in the official newspaper of the Town.

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RESOLUTION #81 RE: University of Rochester Incentive Zoning

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

WHEREAS, December 28, 2007, Resolution #346 accepted the Incentive Zoning Agreement with the University of Rochester, and on December 5, 2012, Resolution #322 extended the agreement through 2017, and on December 29, 2017, Resolution #284 extended the agreement through 2022, and on December 14, 2022, Resolution #270 extended the agreement through 2027; and

WHEREAS, Section A(3) of the agreement states the incentive zoning funds are to be used in accordance with the terms of the current section 115-89 Zoning Code; and

NOW, THEREFORE, BE IT RESOLVED, incentive zoning funds received in 2023 shall be deposited into the Recreation Facility Reserve Fund.

RESOLUTION #82 RE: January 4, 2023 Abstract – 2022 Payables

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

WHEREAS, January 2, 2023 Resolution #1 authorized vouchers to be paid January 4, 2023, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 42317-42319, 42552-42553, 42558, 42564-42571, 42574-42591, 42593-42599, 42602-42606, 42608-42615 totaling 153,001.92 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	\$	46,181.85
Highway Fund		88,306.41
Library Fund		3,002.47
Drainage District		228.06
Street Lighting Districts		15,283.13
Total Abstract	<u>\$</u>	<u>153,001.92</u>

The next meeting of the Chili Town Board will be on February 8, 2023 at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.