

Chili Town Board Meeting
February 8, 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.**

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 – 1/3/2023, 1/11/2023

Reports Submitted –

Advanced Payment of Claims – January 2023

Building Department Report – January 2023

Conservation Board Minutes – 12/15/2022

Dog Control Reports – January 2023

Recreation/Senior Center Report –

Town Clerk Report – January 2023

Traffic & Safety Minutes – 1/5/2023

Zoning Board Minutes – 12/20/2022

J. Correspondence –

1. The Town of Chili has received notification from Nathan Adams, Highway Department that he is resigning; effective January 29, 2023.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #83 RE: SEQR – Declaration of Intent for Lead Agency Status to consider the Incentive Zoning Proposal of 269 Ballantyne Road

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

WHEREAS, Turner Underground has requested an Incentive Zoning approval for a property located at 269 Ballantyne Road (Tax ID: 160.01-1-15.11); and

WHEREAS, the Town Board of the Town of Chili (hereinafter referred to as Town Board) has reviewed Part 1 of the Full Environmental Assessment Form, dated February 3, 2023 and prepared by DDS Companies for Turner Underground, for the incentive zoning proposal of 269 Ballantyne Road (Tax ID: 160.01-1-15.11) (hereinafter referred to as Action); and

WHEREAS, the Town Board considers said Action to be classified as a Type 1 Action under Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, that the Chili Town Board does hereby declare its intent to be designated the lead agency to conduct the coordinated review for the incentive zoning of 269 Ballantyne Road (Tax ID: 160.01-1-15.11) and to make the necessary determination of significance under SEQR; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby accept the Part 1 of the Full Environmental Assessment Form, referenced above herein; and

BE IT FURTHER RESOLVED, that the Town Clerk is directed to provide notice hereof to the involved and affected agencies as necessary.

RESOLUTION #84 RE: Intermunicipal Agreement(s)

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

WHEREAS, On February 18th the Town of Chili will be hosting an event which aims to set a world record for the largest snowball fight. The event includes a full day of winter activities and entertainment; and

WHEREAS, In the interest of public safety and traffic control the Town desires to retain bus services from the Churchville Chili School District and the Gates Chili School district.

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RESOLUTION #85 RE: Purchase of Mower for Parks

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

WHEREAS, included in the approved 2023 budget is the purchase of one (1) new mower for the Parks Department; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase a Groundsmaster 4000-D (T4) from Toro Corp, off the NYS Contract, PC69682, Group 40625 for a cost not to exceed \$93,000.00 to be paid from #A7110.2 (Parks-Equipment).

RESOLUTION #86 RE: Purchase of Roadside Tractor for Highway

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

WHEREAS, included in the approved 2023 budget is the purchase of one (1) new roadside tractor for the Highway Department; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase a MX6000HSTC Tractor from Saxby Implement Corp off the NYS Contract, PC69404, for a cost not to exceed \$65,000.00 to be paid from #DA5130.2 (Machinery-Equipment).

RESOLUTION #87 RE: Letter of Credit Release #1 for 39 Jetview (Sydor Optics)

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$62,727.00 be released from the letter of credit #SB2422950001 with M&T Bank for 39 Jetview (Sydor Optics) leaving a balance of \$22,327.00; subject to engineering fees and street light bills to the Town.

RESOLUTION #88 RE: Use of the Insurance Reserve

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

WHEREAS, the Insurance Reserve was established by the Town Board in 2003 in accordance with the terms and conditions as outlined in General Municipal Law §6-n to fund certain expenditures incurred from a loss or claim against the Town that are not covered by the Town's insurance policies; and

BE IT RESOLVED, to utilize funds from this reserve to cover losses experienced due to an equipment accident, expenses not to exceed \$15,000.00, to be paid from A1620.4003.0089 (Building – Insurance Reserve).

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RESOLUTION #89 RE: Establish Replacement Letter of Credit for Gilead Pond Subdivision and Final Release of LNB Letter of Credit

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

WHEREAS, the developer for the Gilead Pond Subdivision project has requested to replace the current letter of credit secured with LNB bank and provide a replacement letter of credit for same the amount remaining in the original Letter of Credit for Gilead Pond Subdivision: and

WHEREAS, there have been two releases approved to date, leaving a remaining balance of \$76,635.79; and

NOW, THEREFORE, BE IT RESOLVED, that a replacement letter of credit be established for Gilead Pond Subdivision in the amount of \$76,635.79. Items within the letter of credit include, but are not limited to storm sewers, roadway work, street trees, street lights, storm water control and erosion and sediment control; and

BE IT FURTHER RESOLVED, that upon providing to the Town an acceptable replacement Letter of Credit, that \$76,635.79 be released from Letter of Credit #467 with LNB Banking for Gilead Pond, leaving a balance of leaving a balance of \$0.00

RESOLUTION #90 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 investing in a new cloud based software for the Building Department, making workflows for Building, Code Enforcement and Planning easier and more modernized for both the Town staff and the residents which we serve; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$32,500.00; and to amend expense account #A3620.4 (Safety Inspection – Software Support/ Maintenance) by an increase of \$32,500.00.

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RESOLUTION #91 RE: Building Department Software

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

WHEREAS, the Town utilizes software to manage Building Department operations and interactions with the public; and

WHEREAS, though critical to Building Department operations the software currently used is more than 20 years old, has far exceeded its intended useful life, and is far behind today's technology and usability standards; and

WHEREAS, the Building Department Manager, Director of Information Services, Commissioner of Public Works, and Town Supervisor have reviewed a number of software solutions and have determined the solution selected is the best solution both financially and in meeting the operational needs of the Building Department; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Supervisor is hereby authorized to enter an initial 5-year software as a service contract with Cloudpermit for an annual cost of \$20,000.00 to be paid from account A3620.4 (Safety Inspection-Software Support/Maintenance); and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to engage Cloudpermit to migrate the Town's existing data to the new software platform, setup and configure the software to meet the needs of Town workflows, and provide end-user training on the software for a one-time fee of \$10,000.00 to be paid from #A3620.4 (Safety Inspection-Software Support/Maintenance); and

BE IT FURTHER RESOLVED that the Town Supervisor is authorized to subscribe to ESRI ArcGIS Online Services to provide web-based GIS data hosting services to compliment the functionality of Cloudpermit and provide GIS data to the public for an annual cost not to exceed \$1,000.00 to be paid from #A3620.4 (Safety Inspection-Software Support/Maintenance).

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RESOLUTION #92 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 February 6, 2023:

Gary Galetta

RESOLUTION #93 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:

Michelle Angie (11/7/22), Jake Giovati (7/23/2022), Jacob Morales (10/3/2022), Zachary Newnham (12/7/2022),
Mitchell Sauer (1/9/2023)

RESOLUTION #94 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 January 1, 2023:

Ormond (John) Dailey

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RESOLUTION #95 RE: Use of Admin Facility Reserve – Records Storage

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

WHEREAS, on October 18, 2000, on Resolution #356, the Town Board established the Admin Facility Reserve, for the purpose of financing the cost of equipment, construction, reconstruction, acquisition or renovation of the administrative building at 3333 Chili Ave; and

WHEREAS, as part of the current effort to provide appropriate storage space and equipment for the purpose of record retention the Town Clerk has requested the use of a portion of the unused space from the Library/Court renovation; and

WHEREAS, upon review of various storage systems, and available vendors on State Contract, the Town has selected ASR Systems Group to provide a storage system and installation of said system: and

WHEREAS, it is anticipated there will be a need for additional supplies to complete the renovation; and

WHEREAS, additionally, the Town wishes to use funds from the Admin Facility Reserve for the purchase and installation of a storage system and related supplies; and

NOW, THEREFORE, BE IT RESOLVED, that funds in an amount not to exceed \$55,000.00 from the Admin Facility Reserve be used to pay for the costs related to the purchase and installation of a storage system and related supplies, and the utilization of reserve funds set aside for such purposes are subject to permissive referendum all in accordance with Sections 220, 80 and 90 of the Town Law of the State of New York, to be paid from account A1620.2000.0033 (Buildings – Equipment – Admin 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; and

BE IT FURTHER RESOLVED, pending successful passing of the Permissive Referendum period, that the Supervisor be authorized to execute agreement with ASR Systems Group for the purchase and installation of a storage system and any necessary supplies not to exceed \$55,000.00.

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RESOLUTION #96 RE: January 18, 2023 Abstract – 2022 Payables

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

WHEREAS, January 2, 2023 Resolution #1 authorized vouchers to be paid January 18, 2023, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 42607, 42616, 42620-42626, 42644-42646, 42650, 42652-42658, 42664, 42666-42668, 42671, 42673-42675, 42685-42690, 42692, 42699-42701, 42708 totaling \$151,563.55 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	\$ 109,232.84
Highway Fund	41,608.57
Library Fund	342.50
Fire Protection Districts	379.64
Total Abstract	<u>\$ 151,563.55</u>

RESOLUTION #97 RE: January 18, 2023 Abstract – 2023 Payables

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

WHEREAS, January 2, 2023 Resolution #1 authorized vouchers to be paid January 18, 2023, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 42627-42639, 42647-42649, 42651, 42659-42660, 42662-42663, 42665, 42669-42670, 42672, 42676-42681, 42684, 42691, 42693-42698, 42702-42707 totaling \$267,948.25 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	\$ 216,520.24
Highway Fund	28,645.83
Library Fund	22,280.00
Drainage District	502.18
Total Abstract	<u>\$ 267,948.25</u>

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RESOLUTION #98 RE: February 1, 2023 Abstract – 2022 Payables

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

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

WHEREAS, Council did authorize by a majority vote vouchers 42712, 42718, 42723, 42725-42732, 42759-42760, 42764, 42800, 42817 totaling \$64,949.21 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	\$ 44,347.05
Library Fund	3,207.92
Street Lighting Districts	17,394.24
Total Abstract	<u>\$ 64,949.21</u>

RESOLUTION #99 RE: February 1, 2023 Abstract – 2023 Payables

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

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

WHEREAS, Council did authorize by a majority vote vouchers 42710-42711, 42713, 42733-42745, 42749-42753, 42756-42757, 42765-42784, 42788-42799, 42801-42815 totaling \$2,976,211.74 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	\$ 2,702,556.78
Workers' Comp Reserve	60,000.00
Highway Fund	120,820.00
Library Fund	3,008.00
Drainage District	239.96
Fire Protection Districts	89,587.00
Total Abstract	<u>\$ 2,976,211.74</u>

The next meeting of the Chili Town Board will be on March 15, 2023 at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.