

Chili Town Board Meeting
March 15, 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:

1. Mr. Thomas, LandTech, Incentive Zoning proposal 296 Fisher Road.

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 – 2/8/2023, 2/15/2023

Reports Submitted –

Advanced Payment of Claims – February 2023

Building Department Report – February 2023

Conservation Board Minutes – 1/9/2023, 2/6/2023

Dog Control Reports – February 2023

Historic Preservation Board Minutes – 12/12/2022

Library Board Minutes – 1/24/2023

Monthly Financial Statement – January 2023

Recreation/Senior Center Report – February 2023

Town Clerk Report – February 2023

Traffic & Safety Minutes – 2/2/2023

Zoning Board Minutes – 1/24/2023

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from Earl Bassett, Historic Preservation Board that he has resigned; effective February 20, 2023.
2. Virginia Ignatowski, Town Clerk has received notification from Kristen Yachett, Code Enforcement Officer P/T & Dog Control Officer P/T that she is retiring; effective April 15, 2023.
3. Virginia Ignatowski, Town Clerk has received notification from Julianna Lisak, Recreation Leader that she is resigning; effective March 24, 2023.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #101 RE: Donation to the Senior Center Trust & Agency Account

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

WHEREAS, the Senior Center Trust & 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 & Recreation, and the Voices & Visions Committee, a volunteer group of senior citizens, wish to accept a \$200.00 donation from Karen Teske in the Memory of Joanne Napoli, to be deposited into the Senior Center Trust & Agency Account; and

WHEREAS, Michael Curley, Director of Parks & Recreation, and the Voices & Visions Committee, a volunteer group of senior citizens, wish to accept a \$500.00 donation from John & Antoinette Burr, to be deposited into the Senior Center Trust & Agency Account.

RESOLUTION #102 RE: Use of Senior Center Trust & Agency Account

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

WHEREAS, the Senior Center Trust & 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 & Recreation, and the Voices & Visions Committee, a volunteer group of senior citizens, wish to use \$200.00 to purchase new cards and games, as well as dessert to be served at the Senior Center.

RESOLUTION #103 RE: Fireworks Chil-E Fest

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

WHEREAS, the Town of Chili provides professional fireworks as part of the annual Chil-E Festival on June 24, 2023; and

WHEREAS, Young Explosive Corporation has provided the Town with outstanding service at previous Chil-E Festivals; and

NOW, THEREFORE, BE IT RESOLVED, that per the recommendation of Michael Curley, Parks and Recreation Director, that Supervisor Dunning is hereby authorized to enter into a contract with Young Explosive Corporation for the provision of a professional fireworks display at the 2023 Chil-E Festival in the amount of \$12,000.00 to be paid from A7550.4 (Celebrations).

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RESOLUTION #104 RE: Personnel Policy

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

BE IT RESOLVED, that the Personnel Policy originally adopted by Resolution #46 on January 3, 2022, was reposted with revisions on February 8, 2023, without any comments or objections and shall remain in effect dated March 15, 2023 by Resolution #104.

RESOLUTION #105 RE: SEQR Determination for Incentive Zoning of 269 Ballantyne Road

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

WHEREAS, the Turner Underground (“Owner”) has proposed to construct and operate an off-site parking facility pursuant to an incentive zoning plan (the “Project”) on property located at 269 Ballantyne Road (Tax ID: 160.01-1-15.11); (the “Property”); and

WHEREAS, the Planning Board, at its regularly scheduled meeting on December 13, 2022 reviewed the Project and recommended that the Town Board approve the proposed incentive zoning plan; and

WHEREAS, representatives of Turner Underground met with the Town Board at its regularly scheduled meeting on January 11, 2023 to discuss the Project at which time the Town Board conducted a public hearing on said action, solicited and received public comment and has given consideration to the comments provided at said public hearing; and

WHEREAS, the Town Board has reviewed the Project and submitted materials, including the Full Environmental Assessment Form, site plan, description of the Project amenities and incentives, and all other materials submitted in connection; and

WHEREAS, the Town Board is fully familiar with the proposed location, the surrounding parcels, and the larger neighborhood and the Town’s master plan; and

WHEREAS, the Project was duly referred to the Monroe County Planning Department, pursuant to General Municipal Law § 239-m; and

WHEREAS, the Town Clerk has submitted a memo to the Town Supervisor indicating that the Town did not receive any correspondences from the involved agencies indicating an objection to the Town Board acting as Lead Agency and has given consideration to any comments received from Involved and Interested Agencies; and

WHEREAS, the Town Board does hereby declare itself Lead Agency in accordance with the New York State Environmental Quality Review Act (“SEQRA”) and determines the project to be a Type 1 Action; and

WHEREAS, the Town Board finds that the Full Environmental Assessment Form creates a reasoned elaboration of the impacts likely to result from the Town Board’s action to approve the proposed Action; and

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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 Parts 1, 2 and 3 of the Full Environmental Assessment Form; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board has considered the list of potential environmental effects set listed in section 617.7, taken a hard look at all potentially adverse environmental impacts as set forth in SEQRA and engaged in a reasoned elaboration of the submitted information, analysis above and all supporting documentation and has concluded that the action will NOT result in a significant adverse environmental impact; and

BE IT FINALLY RESOLVED, that the Town Board does hereby make a Determination of Non-Significance on said Action and directs the Town Supervisor to sign and date the Full Environmental Assessment Form and the Negative Declaration Form.

RESOLUTION #106 RE: 269 Ballantyne Road - Incentive Zoning

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

WHEREAS, On November 16, 2022, DDS Company, representing Rhett Turner. appeared before the Town Board for consideration of Incentive Zoning for 269 Ballantyne Road in the Town of Chili; and

WHEREAS, the Town Board voted unanimously in favor of consideration and pursuant to §500-106 of the Chili Town Code, referred the matter to the Planning Board for review and recommendation; and

WHEREAS, the applicant appeared before the Planning Board on December 13, 2022, where the application for incentive zoning received a unanimous vote in favor of the incentive; and

WHEREAS, On January 11, 2023, a public hearing was held by the Town Board and after due consideration of the comments at the public hearing and Planning Boards recommendation; and

BE IT RESOLVED, pursuant to §500-107 of the Chili Town Code, the Town Board hereby approves the incentive zoning for 269 Ballantyne Road as follows; and

The applicant will provide an incentive payment in the amount of \$30,000.00 in exchange for the Incentive Zoning request and the payment will be remitted to the Town before the building permit is issued.

BE IT FURTHER RESOLVED, that incentive payment(s) will be deposited into the Town of Recreation Facility Reserve Fund.

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RESOLUTION #107 RE: Clifton Fire Department Active List

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

BE IT RESOLVED, that the following individual(s) be added to the Clifton Fire Department active list effective March 7, 2023:

Ethan Ruszanowski

RESOLUTION #108 RE: 2023 Budget Amendments

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

BE IT RESOLVED, to increase expense budget A1620.2 (Buildings - Equipment) by \$400,000.00; and

BE IT FURTHER RESOLVED, to amend the General Fund appropriated fund balance to \$1,910,000.00 from the 2023 adopted budget amount of \$1,510,000.00.

RESOLUTION #109 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 \$10,000.00, to be paid from A1620.4003.0089 (Building – Insurance Reserve).

RESOLUTION #110 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 March 13, 2023:

Jordan Wood

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RESOLUTION #111 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:

Joseph Miller (3/8/2023)

RESOLUTION #112 RE: Amendment of New York State Snow and Ice Contract

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

WHEREAS, the Town Board of the Town of Chili on November 10, 2021 approved the Snow & Ice Contract No. D040502 between the State of New York and the Town of Chili for snow and ice control which will expire on June 30, 2026 unless further extended. The contract for the 2022/2023 snow and ice season will be \$431,646.53.

RESOLUTION #113 RE: Authorization to Hire Lu Engineers for the Preparation of Bid Documents for Dog Shelter

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

WHEREAS, the Town intends to construct a dog shelter at the Public Works facility at 200 Beaver Road; and

WHEREAS, the preparation of detailed building plans and specifications are required for bidding purposes for this project; and

NOW, THEREFORE, BE IT RESOLVED, to hire Lu Engineers to prepare the necessary plans, specifications, bidding documents and project estimates at a cost not to exceed \$25,000.00 to be paid from A1620.2 (Buildings - Equipment).

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RESOLUTION #114 RE: February 15, 2023 Abstract

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

WHEREAS, January 2, 2023 Resolution #1 authorized vouchers to be paid February 15, 2023, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 42816, 42818-42823, 42827-42841, 42845-42854, 42856-42915 totaling \$2,641,226.97 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	\$ 52,646.32
Highway Fund	61,434.87
Library Fund	3,421.38
Fire Protection Districts	2,383,724.40
Ambulance District	140,000.00
Total Abstract	<u>\$ 2,641,226.97</u>

RESOLUTION #115 RE: March 1, 2023 Abstract

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

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

WHEREAS, Council did authorize by a majority vote vouchers 42916-42929, 42935-42936, 42938-42946, 42949-42954, 42957, 42961-43002, 43004-43007 totaling \$80,402.39 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	\$ 55,892.67
Highway Fund	24,509.72
Total Abstract	<u>\$ 80,402.39</u>

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RESOLUTION #116 RE: March 15, 2023 Abstract

OFFERED BY: _____ SECONDED BY: _____

BE IT RESOLVED, to pay vouchers 43009-43013, 43015, 43023, 43028-43033, 43035-43039, 43042-43062, 43064-43081, 43084-43107 totaling \$230,907.86 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$	93,043.22
Highway Facility Reserve		22,325.00
Highway Fund		80,137.58
Library Fund		8,183.13
H61 Archer Rd Park		6,146.50
Drainage District		5,055.30
Fire Protection Districts		237.40
Street Lighting Districts		15,779.73
Total Abstract	<u>\$</u>	<u>230,907.86</u>

The next meeting of the Chili Town Board will be on April 12, 2023 at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.