

# Chili Town Board Meeting

April 12, 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. Edward Carey – NYMEP Good Energy.
2. EFPR Group – 2022 Financial Statements.

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 30 seconds remaining so that you can conclude your comments within the allotted time.

Chili Town Board Meeting  
April 12, 2023  
Agenda

H. *Matters of the Supervisor* –

New Matters:

Pending Matters:

*Matters of the Town Council* –

New Matters:

Pending Matters:

I. Approval of Minutes – 3/15/2023

Reports Submitted –

Advanced Payment of Claims – March 2023

Building Department Report – March 2023

Dog Control Reports – March 2023

Historic Preservation Board Minutes – 2/13/2023, (No January Mtg.)

Library Board Minutes – 2/28/2023

Monthly Financial Statement – February 2023

Town Clerk Report – March 2023

Traffic & Safety Minutes – 3/2/2023

Zoning Board Minutes – 2/28/2023

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

Chili Town Board Meeting

April 12, 2023

Agenda

---

**RESOLUTION #118 RE: Adoption of the Monroe County, NY Hazardous Mitigation Plan  
2023 Update – Town of Chili, NY.**

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

**WHEREAS**, the Town of Chili Town Board recognizes the threat that natural hazards pose to people and property within Town of Chili; and

**WHEREAS**, the Town of Chili has prepared a multi-hazard mitigation plan, hereby known as the Monroe County Hazard Mitigation Plan 2023 Update in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS**, the Monroe County Hazard Mitigation Plan 2023 Update identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the Town of Chili from the impacts of future hazards and disasters; and

**WHEREAS**, adoption by the Town of Chili Town Board demonstrates their commitment to hazard mitigation and achieving the goals outlined in the Monroe County Hazard Mitigation Plan 2023 Update; and

**NOW, THEREFORE, BE IT RESOLVED**, the TOWN OF CHILI, NEW YORK, THAT:

Section 1. In accordance with Town Code & NYS Law, the Town of Chili Town Board adopts the Monroe County Hazardous Mitigation Plan 2023 Update. This plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations. This only applies to this specific plan and does not absolve the community from updating the plan in 5 years.

---

**RESOLUTION #119 RE: Library Board of Trustees**

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

**BE IT RESOLVED**, that Brian Hart per the recommendation of the Library Board of Trustees be appointed to the Library Board of Trustees; for a four (4) year term to expire December 31, 2027.

Chili Town Board Meeting  
April 12, 2023  
Agenda

---

**RESOLUTION #120 RE: Sound, Staging & Lighting - Chil-E Fest**

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

**WHEREAS**, the Town intends to provide live entertainment during the 2023 Chil-E Festival to the benefit of residents of the Town; and

**WHEREAS**, Audio Images Sound and Lighting, Inc. has provided the Town with outstanding service in the past; and

**NOW, THEREFORE, BE IT RESOLVED**, to accept the proposal from Audio Images Sound and Lighting, Inc. and authorize Supervisor Dunning to sign an agreement in the amount of \$4,850.00 to be paid from A7550.4 (Celebrations – Chil E Fest).

---

**RESOLUTION #121 RE: Entertainment Chil-E-Fest**

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

**BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to sign a contract with TRYST to provide musical entertainment at the 2023 Chil-E Festival for \$1,900.00, to be paid from account A7550.4. (Celebrations); pending Town Attorney approval; and

**BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to sign a contract with Claudia Hoyser to provide musical entertainment at the 2023 Chil-E Festival for \$2,000.00, to be paid from account A7550.4. (Celebrations); pending Town Attorney approval.

---

**RESOLUTION #122 RE: Contract Animal Care 2023**

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

**BE IT RESOLVED**, that Supervisor Dunning be authorized to sign a Contract with Westside Animal Hospital for emergency animal medical treatment, euthanasia services and disposal services.

---

Chili Town Board Meeting

April 12, 2023

Agenda

---

**RESOLUTION #123 RE: Set Public Hearing for May 17, 2023 at 7:00 p.m. to consider the rezoning of the westerly portion of 4415 (GB) & 4423 (R-1-15) Buffalo Road from GB (General Business) & R-1-15 (Residential Single Family 15,000 SF min lot.) to RM (Residential Multiple-Family District).**

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

**WHEREAS**, the Planning Board at a public hearing meeting held on February 14, 2023 by a vote of 2 in favor 2 opposed, the recommendation for the rezoning of the westerly portion of 4415 (GB) & 4423 (R-1-15) Buffalo Road from GB (General Business) & R-1-15 (Residential Single Family 15,000 SF min lot) to RM (Residential Multiple-Family District); and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby determines that this is an Unlisted Action, declares itself lead agency for SEQR review purposes and directs the Town Clerk to send notification of such designation to all, if any, affected agencies; and

**BE IT FURTHER RESOLVED**, that a Public Hearing be set for May 17, 2023 at 7:00 p.m. to consider the rezoning application for the property located at 4415 (the westerly portion) (GB) & 4423 (R-1-15) Buffalo Road (Tax #130.20-1-057 the westerly portion) & (Tax #131.20-1-58) from GB (General Business) & R-1-15 (Residential Single Family 15,000 SF min lot) to RM (Residential Multiple-Family District); Gizzi Real Estate Holdings, LLC (4415) & John Gizzi (4423) owner(s) for the above referenced property has requested the rezoning and has paid the necessary zoning application fee.

---

**RESOLUTION #124 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 \$100.00 donation from Sharon Peterson, 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 \$50.00 donation from Tom & Beth Race in memory of Avana Proctor, 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 \$50.00 donation from Sam & Aleta Montante in memory of Avana Proctor, to be deposited into the Senior Center Trust & Agency Account.

---

Chili Town Board Meeting

April 12, 2023

Agenda

---

**RESOLUTION #125 RE: Use of Highway Facility Reserve – Cold Storage Building and Facility Repairs**

**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**, the Town wishes to construct a cold storage building on the site of the highway facility to be able to store more equipment indoors, extending said equipment’s life span, at an estimated cost of \$215,000.00; and

**WHEREAS**, the Town wishes to repair the floor in the highway facility, along the center drain of the garage, at an estimated cost of \$20,000.00; and

**WHEREAS**, the Town wishes to repair and update the fuel island at the highway facility, at an estimated cost of \$10,000.00; and

**WHEREAS**, the Town wishes to makes some repairs to the existing top soil storage structure at the highway facility, at an estimated cost of \$5,000.00; 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 these projects; and

**NOW, THEREFORE, BE IT RESOLVED**, that funds in an amount not to exceed \$250,000.00 from the Highway Facility Reserve be used to pay for the costs related to these projects, 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.

---

**RESOLUTION #126 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 April 10, 2023:

Kathryn Snios

---

Chili Town Board Meeting  
April 12, 2023  
Agenda

---

**RESOLUTION #127 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 March 6, 2023:

Joe Miller

---

**RESOLUTION #128 RE: Parks Security**

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

**WHEREAS**, the Town of Chili desires to contract with a professional security company to provide seasonal park security; and

**WHEREAS**, three (3) quotes were solicited with only one (1) submitted response as follows:

<u>Company</u>	<u>Quote</u>
Valor Security Group, LLC	\$28/hr (\$35/hr Holiday Rate)

**WHEREAS**, the Commissioner of Public Works/Superintendent of Highways has reviewed the submitted quotes and has made a determination that the proposal Valor Security Group, LLC 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 Town Supervisor, to accept the quote from Valor Security Group, LLC to provide parks security for the 2023 season to be paid from account A7110.4 (Parks Security Guards).

Chili Town Board Meeting

April 12, 2023

Agenda

---

**RESOLUTION #129 RE: Disposal of Surplus Equipment**

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

**WHEREAS**, the following listed equipment is, in the opinion of the Superintendent of Highways/Commissioner of Public Works, obsolete and of no further use to the Town of Chili; and

**WHEREAS**, the Town is best served by disposing of these items for their highest value in whatever form attainable; and

**NOW, THEREFORE, BE IT RESOLVED**, that subject to awarding of bids for new vehicles or the purchase of new equipment, the Town Board authorizes disposition of the following vehicles and equipment and hereby directs the Superintendent of Highways/Commissioner of Public Works to procure the highest reasonable compensation for such items and apply the proceeds there from, if any, in accordance with Section 142(5) of the Highway Law:

- #451 – 2012 Ford F-350 1-Ton 4x2
  - #411 – 2010 John Deere gator TH 6x4
  - #2 – 2012 Ford F250 Pickup 4x4
- 

**RESOLUTION #130 RE: FFRPL Grant**

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

**WHEREAS**, the Chili Public Library has been awarded a grant through the Friends and Foundation of the Rochester Public Library (FFRPL), in the amount of \$8,502.33; and

**NOW, THEREFORE, BE IT RESOLVED**, to accept the donation and to amend revenue account L2705 (Gifts & Donations – Other) by an increase of \$8,502.33; and to amend expense account L7410.4 (Library- Books) by an increase of \$5,101.40; expense account L7410.4 (Library- Discs/Tapes/Audio Books – Adult/Teen) by an increase of \$850.23; and expense account L7410.4 (Library- Overdrive) by an increase of \$2,550.70.



Chili Town Board Meeting

April 12, 2023

Agenda

---

**RESOLUTION #131 RE: Set Public Hearing for Local Law No. \_\_ to amend Chapter 369 of the Town Code of the Town of Chili**

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

**WHEREAS**, certain amendments to Chapter 369 of the Town Code have been presented to the Town Board for consideration; and

**WHEREAS**, the Town Board, prior to its final deliberations regarding the merits of said amendments, desires to set a public hearing and provide members of the public an opportunity to be heard; and

**NOW, THEREFORE, BE IT RESOLVED**, that a Public Hearing be set for May 17, 2023 at 7:00 p.m. at the Town of Chili, Main Meeting Room, 3333 Chili Avenue, Rochester, New York 14624 to consider the adoption of Local Law No. \_\_ thereby adopting and approving the aforementioned amendments; and

**BE IT RESOLVED**, that the Town Clerk is hereby directed to publish notice in the Town's official designated newspaper and to make the aforementioned amendments available to the public for review at the Town Clerk's Office and to otherwise post the same on the Town's website.

---

Chili Town Board Meeting

April 12, 2023

Agenda

---

**RESOLUTION #132 RE: Set Public Hearing for Local Law No. \_\_\_\_\_ to amend certain sections of the Town Code as more fully detailed in this Resolution**

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

**WHEREAS**, certain amendments to the Town Code have been presented to the Town Board for consideration, being specifically amendments to the following sections:

1. Chapter 1, §1-10 Penalties for tampering with Code (Adopted by the Town Board of the Town of Chili 4-14-2021 by L.L. No. 1-2021.)
2. Chapter 164, §164-6 Penalties for offences (Adopted by the Town Board of the Town of Chili on 10-7-1981 by L.L. No. 5-1981 (Ch. 29, Art. I, of the 1980 Code)
3. Chapter 171, §171-20 (A) Penalties for offenses (Adopted by the Town Board of the Town of Chili on 12-3-2008 by L.L. No. 4-2008)
4. Chapter 176, §176-20 Penalties for offenses (Adopted by the Town Board of the Town of Chili on 5-28-1958; amended 9-6-1967 (Ch. 44, Art. II, of the 1980 Code) (Amended 9-6-1977)
5. Chapter 218, §218-3(A)(B) Penalties for offenses (Adopted by the Town Board of the Town of Chili on 12-3-2008 by L.L. No. 4-2008)
6. Chapter 234, §234-6 (A) Penalties for offenses (Adopted by the Town Board of the Town of Chili on 6-3-1981 by L.L. No. 1-1981 (Ch. 45 of the 1980 Code)
7. Chapter 263, §263-11 Penalties for offenses (Adopted by the Town Board of the Town of Chili on 5-28-1958 (Ch. 54 of the 1980 Code)
8. Chapter 277, §277-8 Penalties for offenses (Adopted by the Town Board of the Town of Chili on 7-9-2008 by L.L. No. 3-2008 (Ch. 61 of the 1980 Code)
9. Chapter 329, §329-7 (E) Penalties for offenses (Adopted by the Town Board of the Town of Chili on 3-17-1993 by L.L. No. 1-1993 (Ch. 70 of the 1980 Code)
10. Chapter 332, §332-6 Penalties for offenses (Adopted by the Town Board of the Town of Chili on 6-3-1981 by L.L. No. 3-1981)
11. Chapter 338, §338-5 Penalties for offenses (Adopted by the Town Board of the Town of Chili on 8-13-1980 by L.L. No. 1-1980 (Ch. 74 of the 1980 Code)
12. Chapter 352, §352-7 Penalties for offenses (Adopted by the Town Board of the Town of Chili on 10-3-2001 by L.L. No. 4-2001 (Ch. 76 of the 1980 Code)
13. Chapter 362, §362-7(A) Penalties for offenses (Adopted by the Town Board of the Town of Chili on 5-21-1975 (Ch. 79 of the 1980 Code)
14. Chapter 369, §369-20 (A) Penalties for offenses (Adopted by the Town Board of the Town of Chili on 12-3-2008 by L.L. No. 4-2008)
15. Chapter 439, §439-36 Penalties for offenses (Adopted by the Town Board of the Town of Chili on 7-14-1982 by L.L. No. 2-1982 (Ch. 96 of the 1980 Code)
16. Chapter 444, §444-13 Penalties for offenses (Adopted by the Town Board of the Town of Chili on 6-26-1968 (Ch. 99 of the 1980 Code)
17. Chapter 460, §460-5 (A) Penalties for offenses (Adopted by the Town Board of the Town of Chili on 12-2-1971 by L.L. No. 2-1971 (Ch. 107 of the 1980 Code)
18. Chapter 472, §472-11 Penalties for offenses (Adopted by the Town Board of the Town of Chili on 2-1-1999 by L.L. No. 4-1999 (Ch. 111 of the 1980 Code)
19. Chapter 500, §500-92 (A) Penalties for offenses (Adopted by the Town Board of the Town of Chili on 4-14-2021 by L.L. No. 1-2021)

Chili Town Board Meeting

April 12, 2023

Agenda

WHEREAS, the Town Board, prior to its final deliberations regarding the merits of said amendments, desires to set a public hearing and provide members of the public an opportunity to be heard; NOW,

BE IT RESOLVED, that a Public Hearing be set for May 17, 2023 at 7:00 p.m. at the Town of Chili Main Meeting Room, 3333 Chili Avenue, Rochester, New York 14624 to consider the adoption of Local Law No. \_\_\_ thereby adopting and approving the aforementioned amendments;

BE IT RESOLVED, that the Town Clerk is hereby directed to publish notice in the Town’s official designated newspaper and to make the aforementioned amendments available to the public for review at the Town Clerk’s Office and to otherwise post the same on Town’s website.

RESOLUTION #133 RE: April 5, 2023 Abstract

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

WHEREAS, January 2, 2023 Resolution #1 authorized vouchers to be paid April 5, 2023, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 43108-43112, 43114-43130, 43134, 43139-43147, 43155-43161, 43167-43178, 43181, 43183-43188, 43192-43198, 43200-43204, 43207-43219, 43223-43261 totaling \$478,121.86 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	\$	138,111.21
Highway Facility Reserve	\$	1,177.27
Highway Fund		102,685.59
Library Fund		3,933.41
Drainage District		70,572.58
Fire Protection Districts		138,648.00
Street Lighting Districts		15,361.80
Sidewalk Districts		7,632.00
Total Abstract	\$	<u>478,121.86</u>

The next meeting of the Chili Town Board will be on May 17, 2023 at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.