

THE CHILI TOWN BOARD MEETING  
May 17, 2023

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A regular meeting of the Chili Town Board was held on May 17, 2023 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

PRESENT: Councilman DeCory, Councilwoman Sperr, Councilman Valerio and Supervisor Dunning

ALSO PRESENT: Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; Jared Hirt, Counsel for the Town; Virginia Ignatowski, Town Clerk; David Lindsay, Commissioner of Public Works/Highway Superintendent; Scott Bonnewell, Insurance Counselor.

The invocation was given by Virginia Ignatowski.

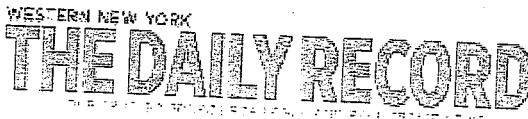
The Pledge of Allegiance was cited. The fire safety exits were identified for those present.

SUPERVISOR DUNNING: I would just like to mention Councilman Slattery's absence this evening - he is on a charity ride where he is riding his bicycle from Rochester -- he left Charlotte on May 8 and he is riding his bicycle down to Florida for charity. He has three charities he is raising money for. Honor Flight, the Missing and Exploited Children and the Pirate Toy Fund are all benefiting from his ride. That is why he is absent this evening. We wish him well on his journey as he travels down through these states.

My understanding is he has had a couple little challenges already but he seems to be doing very well, very good things. Just wanted to make that announcement as to why Councilman Slattery was not able to be here this evening.

We do not have any presentations this evening. We have three Public Hearings.

The Daily Record (NY)  
16 W. Main St  
Rochester, NY, 14614  
Phone: 5852326920 Fax: 0




Affidavit of Publication

To: TOWN Of Chili - Virginia Ignatowski  
3333 Chili Ave  
Rochester, NY, 146245324  
Re: Legal Notice 2497981, TOWN OF CHILI  
State of NY }  
County of Monroe } SS:  
}

The undersigned is the authorized designee of Ben Jacobs/Associate Publisher of The Daily Record (NY), a Daily newspaper published in Rochester, NY. A notice was published in said newspaper. The text of the notice as published in said newspaper is as set forth below, or in the annexed exhibit. This newspaper has been designated by the Clerk of Monroe County for this purpose. The dates of the publication were as follows: 04/27/2023

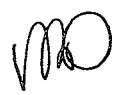
LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF CHILI

Sworn to me on this 27<sup>th</sup> day of April 2023

By   
Ben Jacobs  
Authorized Designee of the Publisher

The Chili Town Board will conduct a Public Hearing on 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).

The meeting will be held at the Chili Town Hall, 3333 Chili Avenue, Rochester, NY 14624. Anyone wishing to speak for or against this rezoning proposal may do so at this time. Please contact the Chili Town Hall by May 12, 2023 if you require special accommodations for the meeting. The meeting can also be viewed online at: <https://www.youtube.com/channel/UCDP1Z4msE6QKH6Cjz1WSGMw/> featured

  
ISOLDE M. BELISLE DEMPSEY  
Notary Public, State of New York  
Livingston County Reg. #01BE6444985  
Commission Expires 12/05/26

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PUBLIC HEARING.

A Public Hearing was held by the Chili Town Board on May 17, 2023 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss rezoning of the westerly portion of 4415 Buffalo Road GB (General Business) & 4423 Buffalo Road R-1-15 (Residential Single Family 15,000 SF min. Lot) to RM (Residential Multiple-Family).

Attendance as previously noted in the 5/17/23 Chili Town Board meeting minutes.

Kris Schultz and Joseph Gizzi were present to represent the applicant.

SUPERVISOR DUNNING: Just a brief statement before we start this. What this Town Board is tasked with for this particular application is to determine whether the zone is appropriate. And what is the -- not necessarily anything to do with any site plans. Drainage. The building itself. What is going to go there. We have to look at what would be the greatest use, the most intense use under the residential multi-family zoning that could be built there.

A lot of issues -- we have seen some chatter and I have had some phone calls that were all great. We welcome that. And I had some comments that refer to things that are more site plan issues.

Should this application go -- we are not going to vote on this tonight. We hold the Public Hearing. We listen to what the public has to say. Then we'll have a conversation amongst ourselves about the -- about what the project looks like and the rezoning is -- is about and whether or not it's appropriate for this location.

Once that is -- once we make that decision, we would likely vote one way or the other at the -- at our July meeting.

COUNCILWOMAN SPERR: June.

SUPERVISOR DUNNING: Oh, that's right. We're still in May.

COUNCILWOMAN SPERR: June 14.

SUPERVISOR DUNNING: I'm ahead of myself by a month. So we wouldn't vote on this until our June meeting, so you know. But there are -- again, we are not tasked with anything as it relates to what would be heard at the Planning Board. If this moves forward.

As I said, then this would then -- there would be a Public Hearing held by the Planning Board for all of the other site plan type issues. The design, the size, the traffic, the -- whatever -- whatever else is happening at that facility. So I would just like to offer that.

So with that, I will open this Public Hearing and ask that anyone that would like to speak, please step up to the podium, state your name and address for the record and you shall be heard.

Did you want to say something first, Kris (Schultz)? MR. SCHULTZ: I can give you a quick overview of the project.

SUPERVISOR DUNNING: Is that -- that's fine with us. Go right ahead.

MR. SCHULTZ: I put together a little bit of comments just to try to give everybody some details. My name is Kris Schultz. I'm the consulting engineer on the project. We have been working on this piece for a bit of time and we have come up with a conceptual plan as depicted here. What it entails is initially a reuse of the commercial with the construction of a one-story professional office building as depicted here.

So I was asked not to speak away from the mike, and I also wanted to make sure the renderings were visible to everybody, so I will keep running back and forth to try to facilitate that.

So the existing two-story professional office building is depicted in the green area to the right. That building for years has been office -- doctors offices. But it has actually suffered from the fact that that type of space, especially with the two-story, is no longer in high demand for those professionals. They are actually -- have moved out and looked for other spaces that are one-story in nature.

And currently we're looking at a vacant building and we need to do something with it. So that motivated the initial, you know, what can we do here? The one-story professional office, which is located just to the right of the green area is -- is what is proposed.

At one point when we started this, the last physician in the two-story building was going to potentially jump into a one-story building if it was possible to get that done in time. Unfortunately, it wasn't so. Right now we have a building that is vacant. So we have the existing two-story professional office and the idea was the rezoning is to allow that to be converted to residential use.

And then to the left, we're proposing three townhouse buildings and this would go along with the idea of transitioning the zoning code from commercial to multi-family, to single-family residential would be the parcel -- the parcel to the west. So the redevelopment of the site would basically take a parcel that is really not going anywhere and potentially turn it into a taxable entity.

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So the details -- a little bit on the conversion of the existing office building. This is a rendering of the building itself. For the most part, the building is going to stay the same. From the exterior, the difference is there will be an addition put on the south end which would facilitate an access -- a second access point and also the elevator. And what you have is the conversion to apartments.

Currently what is proposed in the two-story would be six two-bedroom apartments, two one-bedroom apartments and four studio apartments.

So we would have a total of 12 apartments in the renovated building.

Then the -- the third part of this would be the new townhouse buildings. Okay. So we actually came up with a name for the development. We're calling it Parkway Place, trying to tie it all together. The intent is not only to renovate the existing building, but anything new would tie into the same looks, the same architecture so it is all uniform development overall.

This -- this townhouse building in particular is currently built -- it has been built a number of times by my client over in the Town of Ogden. It's a very popular unit. It has been around in use throughout Monroe County. Basically it's set up where the ends of the buildings are two bedrooms. If -- you can't probably see the floor plan, but on the ends there are two-bedroom units and all of the interiors are three-bedroom units. They're two stories. Basically you have a main floor with garages with one bedroom and upstairs you have the additional bedrooms. We're proposing a total of 20 units, 20 townhouse units. They would all have garages.

We were before the Planning Board earlier this year and a lot of this stuff is to subdivide out the property -- the existing commercial property. This is the -- the plan we brought before that Board and basically created this property line. And that basically made a standalone parcel to retain the commercial zoning for the one-story professional office and set up the eventual parcel for the proposed rezoning.

Certainly, as the Supervisor said, if, in fact, this parcel does get rezoned, then we actually start the -- the detailed work. We prepare site planning for all of the development, including the one-story. We would be providing detailed architectural for the renovation of the existing two-story and, of course, site planning for the townhouses.

The townhouse parcel and the existing parcel that has the two-story building would also be merged into one lot. But for -- but first things first, we need to address the potential rezoning to make this work.

And that's pretty much it. There will be a need to get a few zoning variances, but nothing significant from the standpoint of what you normally look at when you're trying to redevelop the site.

SUPERVISOR DUNNING: Kris (Schultz), can I ask a question? The one site where the professional office building is now is zoned General Business, correct?

MR. SCHULTZ: That's correct, sir.

SUPERVISOR DUNNING: So the property owner at this time could put in a Dollar General --

MR. SCHULTZ: Oh, sure.

SUPERVISOR DUNNING: -- Burger King, Taco Bell, KFC, McDonald's and would require no authorization from --

MR. SCHULTZ: There is a whole site. Just do a couple out parcels for anything that has come along.

SUPERVISOR DUNNING: Has that been looked at all?

MR. SCHULTZ: To be honest, they did look at all the options and they prefer this idea. They know there is a demand for this type of housing. Their project off of Whittier Road in the Town of Ogden, they are 80 to 90 percent full in their townhouses. As long as they're constructed, they're rented out. So there's a high demand for that type of housing. And even with the apartments, with the studio, one- and two-bedroom options, we really are covering a broad range of potential tenants.

SUPERVISOR DUNNING: And on the residential property, I know my Building Department Manager is not here and he is more of a code expert than I am, but I believe you could still build a duplex on that single-family lot; correct?

MR. SCHULTZ: Yes.

SUPERVISOR DUNNING: Without the rezoning?

MR. SCHULTZ: Yes.

SUPERVISOR DUNNING: I just want to be clear on that. Okay. Thank you. So that, again, I will ask anyone that would like to offer any comments, please step down to the podium, state your name and address for the record and you will be heard.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

ZOE CHRISTANIS, 31 Hubbard Drive

MS. CHRISTANIS: Zoe Christanis. 31 Hubbard. Can I bring this up to you? I have something for you.

SUPERVISOR DUNNING: Sure.

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MS. CHRISTANIS: First page I've given you is the zoning map for North Chili. I have circled the existing multi-residential sites and as you can see, North Chili already has a large portion of multi-residential. I believe we have more than contributed to the housing market crisis. We don't want any more in North Chili. We don't need any more. Enough is enough. I understand the property owner has the right to apply for rezoning, but that does not mean you have to say "yes" to that.

The Union Street development, the ever-growing Union Street development between Union and Attridge is unbelievable to me. You're driving into North Chili on Union Street, coming from Chili Avenue. You look to your left and all you see is people's back doors, outdoor grills, propane tanks, chairs, toys, everything. Just people's stuff. There's no berm in place. There is no attractive landscaping to pretty it up. It's just stuff and this is the introduction into North Chili, which to me is very sad at this point.

Now I was invited to Mr. Gizzi's development at Buffalo and Whittier Road and I went and I saw it. And it looked to me as if there were as many buildings as could possibly be fit onto a piece of land were put there. The tiniest of yards, which prohibit any sort of landscaping besides grass and maybe a small tree planted here and there. And when you look back from a distance, it is just a mass of buildings. And to put something like this at the Buffalo and Attridge site would be an absolute eyesore.

Another issue is traffic, of course. We have one traffic light in North Chili and the traffic is very bad at certain times of day, daily.

We can't add to this situation the way it is. I live on Hubbard Drive, which is the one side street after this project, heading west. And we already have a bit of cut-through traffic on our street. And these people drive excessive speeds. They don't allow enough space for pedestrians when they're going by many times because they're in a big hurry. They want to get from one end of the street to another and avoid the light at North Chili. And it's a safety concern for all our pedestrians, kids playing. Roberts students that are on track and field that like to run through our neighborhoods, all of that.

I would like to also know if anyone is referring to the Master Plan when looking at projects like this. I have just myself acquainted with the Master Plan and I find it to be a great piece of work. A group of people spent a lot of time, thought and effort in putting this together. 187 pages. And all throughout the plan, you hear maintaining the character of Chili, preserving the beauty, implementing attractive landscaping.

And there is a few projects I have seen where there is no Master Plan reference and I -- I'm assuming that the purpose of this plan was for all of the Town Boards to reference when projects are brought up and brought to fruition.

The last page I gave you is a bit of the conversation that you had in August of 2022 when discussing this project and concerns that you had. And I'm just reminding you of that conversation. And also reminding you that we are your residents. We want you to represent us and we want you to vote "no" on the rezoning of this property. Thank you.

JAMES BUSHART, 28 Parkway Drive

MR. BUSHART: My name is James Bushart. I live at 28 Parkway Drive. I stand and applaud you. I have been here since 1972, from the City. When I stand and try to get across the street over at the gas station, at the market if I'm walking -- boy, I will tell you the traffic is like a race -- a racetrack going down Union Street.

We're burdened enough with the taxes. Every time the school tax -- you go to the high school, grammar school, they're always wanting more money for buses, et cetera. And we foot the bill. Because we want our children to learn, to grow. All of us are here representing and telling you that we're not satisfied with this. You can't keep on building and building.

Tax burden, et cetera will go up. Every time I turn around, the taxes are going up on the property. I have to fight for -- for them to look at it. Which I did. And I saved a few bucks. I am here and I say no. We don't need this. We need more police with the speeding that goes on on Union Street.

The kids are playing basketball. A lot of kids around. Complexes everywhere now. They're growing like crazy. Multi-family, single-family. It's out of control. This is where I say the buck stops here. Thank you.

CARMELLA DALBA, 4437 Buffalo Road

MS. DALBA: I have some pictures. My name is Carmella Dalba. This is my property.

COUNCILWOMAN SPERR: When you get back to the microphone, make sure you say your name so the stenographer can catch it.

MS. DALBA: My name is Carmella Dalba and I live at 4437 Buffalo Road. And it's right down the street from where this development is going to be. I know we -- you said we're not going to talk about the drainage, but that is my backyard that we have been putting up with that since 1986. So we're wondering when this development comes up, where is the water going?

My pool heaves every year. We -- we just changed all of the walls around my pool. We go through lawn mowers. We -- it's just constant water in the backyard. So we're trying to figure out --

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where this development is going, there is like a ditch there. Is that going to be cleaned out? Is there going to be a pond?

SUPERVISOR DUNNING: Those will be things again that this Board isn't making any determinations on. That would be for the Planning Board. So again, if this application moves forward and they go into the Planning Board, those are questions that you would bring up with Planning Board.

MS. DALBA: Okay.

SUPERVISOR DUNNING: But I would also -- if -- if it's a drainage issue that appears to be from some other type of -- you know, that the Town may have some responsibility for, we have a Drainage Committee that I would highly recommend --

COUNCILWOMAN SPERR: We don't have a Drainage Committee anymore.

SUPERVISOR DUNNING: No. That's is right. I'm sorry. I forgot about that.

COUNCILWOMAN SPERR: I was liaison.

SUPERVISOR DUNNING: Thank you. I'm still -- because -- I'm thinking because we used to send people to the Drainage Committee all of the time. But I would -- but I would highly recommend if it is something that maybe our guys can take a look at. David (Lindsay), did you catch that address?

DAVID LINDSAY: I didn't.

MS. DALBA: 4437 Buffalo Road. He has been at my house before.

SUPERVISOR DUNNING: So he has seen it?

MS. DALBA: Yes.

SUPERVISOR DUNNING: Okay. So you can --

MS. DALBA: It's been a while.

SUPERVISOR DUNNING: If it is something we have some responsibility with, we'll take a look. But David (Lindsay) will take your call and be happy to discuss it with you.

But again, the issues as far as this development goes, have absolutely nothing to do with what we would do as a Board.

MS. DALBA: And my next thing is, again, with all of the people that are coming in with, you know, the housing developments and stuff like that -- I live across the street -- a house that looks terrible, number one. A house that is vacant, number two. And another house where there is rental -- people are renting there and they just got rid of a dumpster that was sitting there for five months. A big, huge container dumpster. I'm sick of looking at it. I went through all of the avenues.

Finally, the other day they came to remove it. They come with their cars. I mean what I'm trying to say, is this going to bring more riffraff into our Town if we do this? You know what I'm saying?

SUPERVISOR DUNNING: Again, this really has nothing to do with the rezoning application, but I will say one thing. Based on what this developer is proposing, um, riffraff is not likely going to be able to afford these -- these townhouses. They are upper scale. They are very much upper scale type townhouses. So I don't see where you're going -- these are people with good resources. Quite frankly, I don't know that I could afford to live in one of these. It is likely more than what I pay for my mortgage today.

MS. DALBA: Just making sure because there are bad things going on everywhere with Speedway right there at the corner. That -- it closes down at a certain time. It's cash only. There has been people there that have been being robbed in the parking lot and stuff like that. We just don't want any more of that, you know, to come into the Town of Chili.

SUPERVISOR DUNNING: Understood.

MS. DALBA: So that's all --

KATHY NEDER, 82 Attridge Road

MS. NEDER: Thank you. My name is Kathy Neder. I live at 82 Attridge Road. I have a statement I would like to make. However, I would also like to give you this petition, if I may. Signed by the -- at least 25 people that will be affected by this that can't be here this evening to voice their concerns.

Again, I'm -- name is Kathy (Neder). I live at 82 Attridge Road. I have enjoyed a career as a banking executive, a real estate broker, a landlord and Property Manager over my working lifetime. I'm here today to strenuously oppose any rezoning of the parcels located at 4415 Buffalo and 4423 Buffalo Road from R-1-15 single-family residential to multi-family residential.

I am asking that you deny this and any application to rezone these parcels due to the promised and expressed covenant of the Town of Chili Master Plan that zones this area as single-family residential with a minimum lot size of 15,000 square foot.

This covenant and promise made by the Town of Chili was a key reason in our purchase of land and the building of our home nearly 40 years. We relied upon the wisdom and promises from your predecessors to invest our life savings in our community neighborhood.

A large portion of our neighborhood community are generational family homes that we are strongly invested in. This is not a suitable area for any multi-family residential units designed to resemble barrack buildings or internment facilities. We ask that you deny this application by a non-resident, carpetbagger who only seeks to enrich his pockets off of our backs. There is plenty of usable

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land in the street numbers 100 to 200 area of Stony Point Road if he desires to build Army barrack housing.

He knew when this property was purchased years ago that the zoning has single-family residential. He has the audacity to believe that the rules do not apply to him. I understand his right to apply for rezoning and put an application in. We are asking you to deny it. This man seeks to decrease our property values to line his own pockets which will not come back into the Town of Chili because he is not a resident.

Any rezoning will destroy the quality and fabric of life through increased crime, noise, trash volume and unacceptable large traffic density issues. Our neighborhood has already been negatively affected by the increase in crime from the multi-family projects that already engulf us and are trying to force us out of our homes and our land.

The Monroe County Sheriff Office arrives nightly, many times two to three times a night to crime calls at Union Square. We have all had to install alarms, cameras to protect ourselves. I have constant trespassers and illegal hunters in my backyard land.

Renters by their very definition are itinerant, transient and have no investment or appreciation of their neighborhood. They have no reason to maintain it.

We all -- we all have our lives invested in our neighborhood community. We respectfully ask you to deny this rezoning application so as to protect and preserve our quite enjoyment, sanctity and family fabric of our neighborhood community.

JANET LECCESE, 20 Ramblewood Drive

MS. LECCESE: Thank you. I don't know if I can top that. I will just speak to you from my heart. That was excellent.

But, Mr. Dunning, Board members, thank you for this opportunity to -- to speak my concerns. And actually as I was turning in, I have been frequenting this building for my own zoning issues, but -- so I love this area.

SUPERVISOR DUNNING: Could I get your name and address for the record?

MS. LECCESE: Janet Leccese, 20 Ramblewood Drive.

COUNCILWOMAN SPERR: Could you repeat that?

MS. LECCESE: Janet Leccese, 20 Ramblewood Drive, which is in the same vicinity of the building issue.

Actually, when we were turning in here, I noticed a wonderful parcel of land for sale that would be wonderful for housing.

That's just an aside.

SUPERVISOR DUNNING: Somebody is already trying to do that.

MS. LECCESE: Okay. There you go. I'm a 20-year-plus resident of North Chili. I have lived on Ramblewood Drive on the Buffalo side. It's a long street so I have to designate that for that all this time. I love our quaint Town. We have many local businesses that maintain the small-town feel. I love that about North Chili. I want to say "North Chili" because we're special. We're North Chili.

And CFR, all those would recognize that, those initials. The Glue Factory, Jitters. A wonderful family medical practice and which was a dental practice where I could walk to. A quantity plaza which all of us could walk to many places in North Chili. I love taking my grandkids on walks to get Dunkin or something. We have a nice, small-town -- -town feel.

Additional opportunities for housing, since I moved in 2002 -- when I moved in, there -- there have been additional housing on Buffalo Road/ Union Street. Much -- there have been much additional housing which I call the center of town. Union to Buffalo is the center of North Chili, considered that.

With all of the additional development it has been increasingly difficult to make a turn out of my street. Traffic. That goes down from 50 and it should be slowing down to in the 30s and it often does not.

I cannot even imagine what this proposed development would mean to traffic. Our small-town feel.

The safety of our residents. There is not adequate frontage, as I can see, as with other developments such as Cottage Grove right adjacent to it, which is attractive because there is a park and it is set way back. It is very attractive with the trees. There is not enough frontage to make that as attractive and pleasant appearance. I would sincerely suggest an alternate location, more appropriate for multi-family dwellings.

Another concern is the patent potential impact on housing values. I would also appreciate a no vote. Thank you.

SUPERVISOR DUNNING: Thank you.

BILL SCHMALFUSS, 35 Attridge Road

MR. SCHMALFUSS: My name is Bill Schmalfuss. My property is probably one of the more affected -- I'm 35 Attridge Road. I have already got a driveway and parking lot to my north. And this would take -- cover the whole back of my backyard. I mean this is basically a "yes" or "no" up here

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tonight. And I just can't see this sitting in those -- that area that is there now. I -- I don't care to think of looking at it from my backyard. So my -- my vote is no.

LINDA SCHMALFUSS, 35 Attridge Road

MS. SCHMALFUSS: I'm the other half. Linda Schmalfuss at 35 Attridge Road and I appreciate all of you here. And as you have a concern for Chili, we do too, specifically North Chili. And as others have made a comment, I don't think this fits the character or the persona of North Chili. It's a small, nice little village in Town. So I don't think this fits.

As others have mentioned, there's a concern about traffic. Effect on the school system. Class sizes are always already large. They're already trying to get competent teachers.

You said this will be -- high-end townhouses is what you're proposing. Obviously there will be some families there. More traffic. You're looking at how many units? At least 45 more cars. Our traffic -- our home will be affected by the lights, the noise. Privacy obviously.

Attridge Road is up a little bit higher. We have a walk-out basement. We'll have no privacy at all in our backyard despite a berm or a fence, which we will positively push for if this goes forward.

Already -- where our yard is positioned people cut through our yard already to get from Buffalo to Attridge. So we are already seeing traffic through there, especially with a new development up at Union Square.

In addition to the privacy, I guess we have not had a concern of people stealing packages from our front porch, but I am wondering with this increased number of people and apartments, if that would be compromised.

I'm also -- we, I guess, will say are concerned about the market value of our home. We have been there 45 years. We have worked hard with blood, sweat and tears. Our -- our assessment proves that as it has gone up and up. And so I really don't think my home will be very -- as marketable, having two sides with pavement, lights and two-story houses looking out of my backyard.

I have a concern about the -- how -- how North Chili and Chili in general, how just our green trees and things are being cut down and just leveled. And this particular property on -- on Buffalo Road, there were some -- a couple, at least two huge trees which were 75 to 100 years old. Now, we are not going to get those kind of trees back. And that is really important for our pollution and our quality of air in this.

If you look at Kings corner, behind the Encounter Church, that's all leveled. You look on Buffalo Road before you get to Manitou, all those trees are leveled. I mean we're affecting the beauty, but also our quality of air in our Town. Obviously, there's a lack of green landscaping. If -- I went to Union Point and I saw, as others have mentioned, it is just one building after another with -- with very little green space.

I'm concerned about if this proposal goes through, the practicality of getting emergency equipment in there. Like fire trucks, ambulances, the maneuverability. I'm concerned about where does the snow go? Our -- you know, we're right there. As others have mentioned, we have a very wet yard. In the past we have had the Town come and look at it and just said "Oh, no. This is fine. This is normal."

This is -- we have a garden in the back. We have battled with trying to grow things there. It is always wet and soupy in the spring. You have to wear your boots back there. You know, as all -- all of you have also mentioned.

I don't think there is an -- enough business and -- and in reviewing the notes from previous Town meetings and comments, the term "neighborhood commercial" -- if these are built, I don't see where that is going to help the revenue of our local business. There isn't -- there aren't -- there aren't enough restaurants. There wouldn't be enough stores for people to stay here to eat, to put their money into North Chili in our community. They're going to go other places because there isn't that available to them. Those kind of things.

I have heard the term -- and the Supervisor mentioned that tonight. "Intense use" of property. So that was a new term to me. It may be new to others here. Could you define that for us? What does that mean?

SUPERVISOR DUNNING: Yes. And Linda (Schmalfuss) knows -- I have had this conversation with her. And I want to thank you for the phone calls. You are actually the only one that actually made a couple phone calls. We had some very lengthy discussions to understand. So I appreciate your efforts in what you have done to try to understand what some of the guidelines are and things that we worked through.

But intense use is simply -- in a multi-family Residential District, based on our code, what is the biggest and largest thing that could be put on that piece of land.

This does not meet that. This proposal right here does not -- it doesn't rise to that level. But if the developer decided at some point in -- and -- this is -- this becomes a Planning Board issue after that. Right? If this Town Board rezones this property to multi-residential, our understanding is at this point, this is what is going to be developed. That doesn't mean that the developer really has to do that. They could comply. That becomes a Planning Board issue. No longer the Town Board.

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Likely the Planning Board, as they have previously done for this location, denied applications for larger more intense use of that property with basically the same kind of -- it would have been the same zoning. But the Planning Board has denied both of those -- both of the times that it -- that that has been brought up in that area. So basically, it's just what is the biggest, worst thing that could happen in that spot. Under that zone.

And if you look at -- I don't have my code book here in front of me, but there are a few things in there that could be built under multi-residential.

MS. SCHMALFUSS: The other is, I learned, "incentive zoning." So could you also give us the definition of "incentive zoning" others may not know?

SUPERVISOR DUNNING: This is not incentive zoning. This is a rezoning.

MS. SCHMALFUSS: I'm just asking a question about --

SUPERVISOR DUNNING: That's fine.

MS. SCHMALFUSS: -- about what is incentive zoning.

SUPERVISOR DUNNING: To be perfectly clear, this is not an incentive zoning application.

But incentive zoning is an opportunity for the Town -- because we do have one on the -- for Public Hearing here this evening. So what happens under incentive zoning is a developer comes in with -- they have a piece of land they want to develop that does not meet the exact criteria of the area. We haven't defined it in our code. There is some parameters in there that just don't meet up with our code.

We look at that -- that particular application and say, "Well, maybe this is a good spot for what they want to do."

This -- you know, the one application coming in here today, it's in a remote -- somewhat remote area of the Town. Is this something that we should consider to -- and -- the incentive zoning. Incentive is generally speaking -- it is they offer an amenity back to the Town and then the Town grants them their zoning that they're requesting.

In incentive zoning, however, the applicant has to specify pretty much everything and anything they want to do on that particular space, including setbacks. Any zoning variance that would need to be acquired. Anything that would need to happen to that property with the exception of some of the site plan, the design of the site plan, the layout and how some of those things work. Those have to be -- be brought up in the incentive as part of it.

An example of incentive zoning is over on Beaver Road -- or I'm sorry -- on Scottsville Road. There -- you will notice that the U of R has a large parking area. That -- the Town of Chili does not have a -- a standalone parking facility in our code. It's not permitted anywhere. It was -- years -- many years ago, um, the University of Rochester came to the Town of Chili and said, you know, they bought the -- it was the old Logan's Party House, for those of you that have been here long enough. They tore down the Party House. They came to us for incentive zoning. I think that was before me -- slightly before --

COUNCILWOMAN SPERR: Before you. At least 15, 16 years.

SUPERVISOR DUNNING: So they came before us -- came before the Town Board for incentive zoning to create a parking lot. They then give us -- right now they're at about \$35,000 a year they pay as part of that incentive. So there are other -- other examples of incentive zoning that we have given out.

There is a developer that didn't want to tie downspouts into the sewer. The DEC recommends these days that downspouts actually be dispersed out into the yard and be able to -- the water to be able to be disbursed among green space in people's yard. That person pays -- for every house that is built, they pay, I believe, \$1,000 per unit per house that is built for that incentive not to tie into the downspouts. It's a zoning issue, but it's -- but in a sense it's not a zoning issue. But it is -- incentive zoning is what that is.

Is that clear enough? I may -- hopefully -- if you have questions on that, I'm free. You can call me. I'm more than happy to answer these questions.

COUNCILWOMAN SPERR: But the fund for those, just to add one more comment to the Supervisor -- he is correct, but the funds for those -- for example, the U of R parking lot, we have to specify at the beginning of every year how we use that money. It is not \$35,000 that could just go into the General Fund and be spent on paying for our bills. It has to be spent on something to help the Town.

And right now, the -- the latest expenditures in the last several years we have been putting into our Sidewalk Fund to increase the amount of sidewalks to make it easier to connect sidewalks that are required by our Planning Board for certain projects. And that \$1,000 will -- same thing, will go into a fund to help pay for something that benefits the residents of the Town.

Just want to help make it a little more clear as -- because everyone is sitting there going "What do you do with that money?" That helps.

MS. SCHMALFUSS: Has this developer asked for incentive zoning in the past?

SUPERVISOR DUNNING: They did and they got -- the applications that came before us were not recommended at the Planning Board. But again, these were much bigger facilities, much -- a much more intense use of the property. And then -- what happens with -- with incentive zoning, the progress of how this works is the applicant comes in for incentive zoning. They come into the Town Board. They give a presentation and ask for incentive zoning based on what we call a sketch plan. Very basic information



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about the property and what they want to do. So then we say, "Okay. It looks okay. Let's let the Planning Board vet the project."

So then it goes to the Planning Board and the Planning Board then says, "Yeah. That's a good -- it's a good incentive for the development. It's a good place for the development. It's a good development. Let's go ahead. We'll recommend that it be rezoned for incentive zoning."

Then it comes back to the Town Board and we go through our process, kind of similar to what we're doing here.

They have a Public Hearing. We have a Public Hearing. There is another Public Hearing, I believe, later with the Planning Board. So there -- so there is a lot of opportunity for -- for the public to speak on these.

But the -- on the previous applications for again a much more intensive use, the Planning Board denied the -- it did not recommend, I should say, the -- the -- the incentive zoning.

MS. SCHMALFUSS: As we spoke over the phone one time, I -- to me it just seems rather unethical that a developer can pay you money in order to get you to change your mind regarding his -- his proposed zoning.

SUPERVISOR DUNNING: Well, they're paying -- they're -- they're paying -- they're paying the people -- as Councilwoman Sperr mentioned, this money goes into projects that the Town -- that you or I would have to actually pay for through tax dollars. So the -- as Councilwoman Sperr mentioned, we put -- we put a significant amount of money into sidewalks all through -- all through incentive zoning type stuff. Some of our parks development. Parks equipment and stuff like that have been done through money we have gotten through incentive zoning. Some of that money goes directly into the Parks and Recreation reserve.

Some goes into the sidewalk reserve. It just goes into these reserves that -- it ends up saving taxpayers money. So it is not like any of us get any of that money. It's not for us. We don't get it. But we get the same benefit -- we all live in Chili, too. We also get all of the same benefits of our tax dollars not going for that particular project.

COUNCILWOMAN SPERR: I will caution you on one thing. You just made a statement that said pay us to change our mind. Um, these are --

MS. SCHMALFUSS: The Town. Not you individually.

COUNCILWOMAN SPERR: You made a statement about changing our mind. It doesn't -- minds have not been made up when they come in. They come in with an idea for a project and a description of that. As the Supervisor stated, it goes through the whole process. So minds have not been made up and are not changed. It is to help show a benefit because they want something. So it does show a benefit. But it doesn't -- it doesn't mean that oh, we -- we wouldn't -- we would change our minds if -- if -- if they didn't pay for that, it would change our minds and we would think differently or we do think differently because they paid us. No.

The decisions that I make based on this rezoning have to do whether I feel it's the best use of that property and it's in the best interest of Chili. Not having anything to do with whether or not they may offer or they may pay us for an incentive. I'd just like to make that clear because sometimes I think everyone gets the wrong impression.

JARED HIRT: To be clear, though, this is not an incentive zoning.

COUNCILWOMAN SPERR: It is not incentive zoning. Right. But since it came up and there is quite a few people here in the room, I just want to make sure that that is very clear. Okay.

MS. SCHMALFUSS: So when we talk intense use of property, the criteria that you use, you said, what is the best use of it and what is the worst use? So in this particular proposal, what is the best use? What is -- what is the worse use?

SUPERVISOR DUNNING: The most intense use looking at the code -- the code book is here. I pulled up the code book -- as I read to you when we talked on the phone -- what could be built there. Permitted uses, apartment houses. Multi-fam -- multiple-family dwellings and dwelling groups and condominiums, which are simply apartment houses under certain specified rules of ownership. Normal accessory use is designed for integral part of a development and scaled for the exclusive use of the residents of the development.

Customary home occupation is defined in another section of the code.

And then there is special permit uses which is home businesses, which -- again, would be otherwise customary home occupation. Single-family dwellings and duplexes. So there could be several duplexes built under that code, which is, in essence, what these townhouses -- they're conjoined duplexes.

COUNCILMAN VALERIO: Duplexes can be built.

SUPERVISOR DUNNING: Right.

Recreation uses such as parks, playgrounds, golf courses, driving ranges, Country Clubs, Swimming Clubs, Tennis Clubs. Not including such intensive recreation uses such as a racetrack or amusement park.

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So not that it is big enough, but you -- they could put in a driving range. They could put in a Country Club or a Swimming Club or a Tennis Club or something like that over on the property which would -- which fits in with that.

In contrast, the property that is zoned General Business, that is currently zoned, that -- the developer could easily do without our blessing or without us doing anything, which would be any permitted use in Restricted Business or Neighborhood Business such as photographic, artist supplies and studios, music and dancing schools, art galleries, banks and financial institutions, variety stores and gift, notion, toy, pet, hobby, video rental/sales and bicycle shops, garden supply, hardware, home furnishings, health food, furniture and liquor stores. Books, stationery, jewelry, leather, luggage, instrument stores. Department and clothing stores. New auto parts and household appliances. Restaurants, theaters not including a drive-in theater. Bowling alleys and places of public assemblage. Health centers, fitness centers, video stores, excluding adult video.

Thank you, Town Board, for that added addition at one time.

COUNCILWOMAN SPERR: Yeah, we did that.

SUPERVISOR DUNNING: Pharmacies with or without drive-thru service. Grocery stores and then a bunch of specially permitted uses such as hotels, motels, veterinary offices and some type of outdoor sales. So that is what could be built there now.

MS. SCHMALFUSS: So I would like to say -- and I will end this with I don't think there is a need for townhouses. There is more of a need for middle class, affordable family homes that -- as a matter of fact, I have a daughter who is looking for a nice home. I just don't think this is a place for it. And if you look at different developments around, they do not have townhouses with residential homes right besides it sandwiched in between. They're like -- the one on Whittier, it's in a big, open field. And across from that is more businesses. They're not sandwiched in between.

If you look at Union Square, it was all just built in there in a big, open field space.

If you look at Kings Corners -- I believe that is what it is -- where they leveled all of the trees behind there, that's basically -- was just a big, open field. It wasn't sandwiched in between residential homes on both sides of the street.

And perhaps the old school on Buffalo Road, right at the end of Attridge, which has been vacant for a while, maybe that's a place to -- a better use of that particular property, to put a townhouse over there. Although I'm not in favor of that. There is something -- there is something you could sell really cheap to the developer.

Thank you.

JOY SHEWAN, 36 Attridge Road

MS. SHEWAN: Hi. I'm Joy Shewan, 36 Attridge. I'm across the street from Bill (Schmalfuss) and Linda (Schmalfuss). We have lived there for 23 years now and over these 23 years, we have put over \$50,000 in the renovation of our barn. I hope some of you have noticed that. And part of the reason for that was to keep the character of our property. And to invest in our community.

My husband grew up in Churchville. And I don't want to see this turn into, you know, a -- a -- a Greece. You know. Greece -- I can't think -- Ridge Road. Okay? I don't want it to be that way.

I want it for our children, our grandchildren to be safe. I think the blacktop is just going to be an eyesore. No green space. And the amount of proposed buildings on that lot -- the number of homes, the number of people you're adding, the number of cars you're adding -- that changes the character completely. And I vote no.

ERIC NAGLE, 3307 Union Street

MR. NAGLE: Eric Nagle, 3307 Union Street.

I just want to be transparent that I'm not for or against this project or the rezoning. But I would like to ask the Board to consider what, if any, kind of precedent this is setting for others looking to develop other mixed use retail residential projects in the area.

I think it is worth noting it is a pretty popular model to have mixed residential and retail like some of the other people have already mentioned. So I just had that question and I just wanted that on the record.

SUPERVISOR DUNNING: Thank you.

VALERIE PAGANO, 51 Attridge Road

MS. PAGANO: Good evening, Mr. Dunning and Town Board members. I thank you for allowing me to speak this evening. I have lived in North Chili for many, many years.

SUPERVISOR DUNNING: Could I have your name and address?

MS. PAGANO: Valerie Pagano. My family home is 51 Attridge Road. And I just want to say that in North Chili, we are very, very fortunate to have within our community a variety of affordable housing to serve the needs of all who want a better life. But just to name a few of the things that are happening here with Union Square, Chili Commons, Meadowbrook, North/South, Union Station, College Greene,

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Cottage Grove, Hubbard Springs and I even saw today more building and construction in back of Union Station. I said to myself "What is going on?"

The traffic, it's just insane. So -- but my concern is, with the development that is going on in this relatively small space, this -- this small piece of land, which actually backs up to wetlands -- so my question for the Board is, has there been an Environmental Impact Statement? Or at the very least, an environmental assessment that does address noise pollution, traffic patterns, drainage, impact on the habitat and, of course, the endangered tree frogs I just heard about today. So we have to worry about them, too.

So my suggestion is -- and some of you have already talked about it -- maybe -- maybe a park. Maybe more -- a few patio homes, single-family patio homes would be nice there. That would be about keeping within the surrounding area the same kind of look. So I hope that this does not go through and thank you all for coming tonight.

SUPERVISOR DUNNING: Valerie (Pagano), I would like to answer your question about environment, because that is important. That is actually a Planning Board effort, the environmental impact studies. That is done -- that is a SEQR process. That is the Environmental Quality Review Act. That is something that is done for a site plan by the Planning Board. We do -- we do SEQR for a rezoning. But it has -- but it doesn't apply to the -- what -- I think you're referring to, all of the elements which you talked about.

JARED HIRT: There would actually be two SEQRs done. One at this level, just for the rezoning.

SUPERVISOR DUNNING: Right.

JARED HIRT: Then the more intense one, if you may, would be done at Planning.

SUPERVISOR DUNNING: A rezoning is typically a Type I Action, I believe, for the most part.

JARED HIRT: Usually Unlisted.

SUPERVISOR DUNNING: Unlisted Action. Right.

But the Planning Board would have a more -- I will use the word "intense" again if I may -- use of SEQR where they go through -- the applicant and the Planning Board go through a much more intense process. So...

MS. PAGANO: Thank you.

LISA WAGNER, 4427 Buffalo Road

MS. WAGNER: Hi. I'm Lisa Wagner. I live at 4427 Buffalo Road. So I'm two houses down. Respectfully, in my opinion, and the opinion of my neighbors, this is very intense. This is very intense for our neighborhood. And I am concerned. I would be open for, you know, other families to live here who want to stay. I have lived here almost 30 years. Single parent. I raised my family here. I made my house the way I wanted it. I like it here. I know things have changed in North Chili, but just from hearing my neighbors come here and speak, I'm proud to be in North Chili. Yes.

DAVID MEYER, 26 Pleasant View Drive

MR. MEYER: Hi. David Meyer, 26 Pleasant View Drive. I grew up in Chili. I went to college in Chili. I bought a home in Chili 37 years ago with my wife and raised my family in Chili. I bought in Chili because it was close enough to the city that we could enjoy city life but far enough away that we could enjoy the country life and quietness and darkness. And I feel like since we have been here for 37 years, the -- the whole area is changing. It is becoming much more like the city. We have all kinds of developments like this and -- in our Town now and it's getting worse by this project here.

So I would like to just stand with my neighbors -- some of them my friends -- and tell you that I'm opposed to this project being -- going forward and I would like to ask you and appeal to you to shoot it down before it gets to the Planning Board and they have to make those other decisions and all that. So I might sound a little harsh, but I thank you all for the job you're doing in Chili.

SUPERVISOR DUNNING: Thank you.

MR. MEYER: We really appreciate it.

COUNCILWOMAN SPERR: I did have one question. Sorry I'm coughing. These allergies are killing me tonight.

One of the things that occurs to me as I sit and listen to everyone here is the developer does own the property. He does have the right to develop on that property -- as the Supervisor has alluded to -- all of the things that could go there.

So as I sit here and I listen, I think to myself, okay. If this project is turned down by us, what do you guys plan to do with that property if this project isn't -- doesn't move forward? I guess that's -- that's the one thing. I mean -- because you very well could put a Burger King in there without us doing anything.

So I guess I'm wondering if this does get turned down, what would you do?

MR. GIZZI: Good evening. I'm Joe Gizzi. I'm the developer on the site. To answer your question, we don't currently have plans for what we would do with the site.

COUNCILWOMAN SPERR: Okay.

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MR. GIZZI: Currently, as Kris (Schultz) mentioned, the site, the professional building is vacant. So we have had it for lease for several years and we have had no luck.

COUNCILWOMAN SPERR: Okay.

MR. GIZZI: So, you know, we're not proposing to put in low-income housing by any stretch of the imagination. These are very nice townhomes. They actually look just like a standard single-family home. They're not your typical eight-unit, garden-style apartment like you see over in maybe Windsor Gardens or the older style square buildings.

So yeah, currently we don't have any plans. If -- if this doesn't go forward. You know, we -- obviously we're going to beautify the area. If you look at any of the projects we do, we don't -- we do things to our -- the best of what we can.

We live in this community. You know -- I take my kids to Churchville-Chili every day. I've grown up here. I have been here for 40 years. I'm in the Town of North Chili. I frequent all of the businesses. Jitters, Tim Horton's, Dunkin' Donuts. We're all there. We work there. We live right down the road. Granted we don't live in Chili, but we do live in Ogden just on the cusp of Chili. We're not a developer from Florida looking to come in and slam townhomes in and take off. That's not what we do.

I'm -- I'm open to any questions, too, if anybody has any questions.

SUPERVISOR DUNNING: Joe (Gizzi), we're -- no. This -- this is a Public Hearing for the Town Board to hear from the residents. If the residents would like to -- if they would like to -- have a question -- they can -- they -- they can either grab you outside this meeting or they can ask a question for the Town Board and if we I have a question, we'll direct it to you. This is in fairness to you and in fairness to the residents so we keep this -- everything under control.

So if there is a question that -- so if you're done, have a seat and I'll address -- I will address -- if the resident has a question for us to address, we'll address it. Okay? So.

COUNCILMAN VALERIO: Joe (Gizzi), was -- were -- were single-family houses ever considered?

MR. GIZZI: No.

COUNCILMAN VALERIO: What is the reason for that?

MR. GIZZI: We just -- we're not -- we don't build single-family homes typically. And you know, we have -- the biggest concern is the -- you know, the professional building. Repurposing that. Because there -- that -- as you mentioned, that type of use is not existent. No one wants to be in a half basement. They all want to be ground level, plaza style.

COUNCILMAN VALERIO: So that will still be on the site regardless?

MR. GIZZI: Right. I mean we're looking at -- I know it seems -- looks like a lot, but we're looking at 20 potential units of townhomes. And currently, what you see there now is not very attractive. And, you know, to -- to address some of the concerns about the drainage, when this project is developed, the drainage is -- is going to be part of that whole package. If there is any issues with drainage, any residents on Attridge Road, they're certainly going to be in a better position after we're done than they are now because there is nothing going on on that site.

As far as the professional building, it's totally vacant. I'm sure the neighbors in the area see that. There is no cars going in and out of there at all. So what do you do with a building like that? I get it that - I get it that it was zoned, you know -- the zoning was put in place 50 years ago for that -- that style property, but it doesn't work anymore.

That is the purpose of the Zoning Board, is to change zoning on these properties so you can repurpose a piece of property. If you look at a lot of big lots and department stores that have gone out of business, they're not putting new big lots in there. They're putting new concepts that work that people can use the properties for. That is what we're looking to do here, is to repurpose the property.

And 100 percent, the -- the families that live in these homes will 100 percent use the restaurants. North Chili Family Restaurant which I'm at at least weekly. They will be using the restaurant. They will use Jitters.

All of the businesses could use support in that area. We all know the plaza across the street is in rough shape. That could certainly use some support, right? The -- the property across the street that the Town owns, that has been for sale for a year, run down. Something has to happen there, right? Are we going to keep it the same -- the same use it is now or will the Town allow someone to come in and re-purpose it? Or if not, it will stay just like it is now, vacant.

That is the same exact situation we have across the street, a vacant piece of property. Clearly we have tried to put tenants in there. We've had doctors, pediatricians, dentists, surgeons. We have had the Department of Transportation. They rent out of there.

I mean you're just -- you're getting -- things change and what used to work doesn't work anymore. We're trying to -- to develop something that will work for the community.

And it also brings tax revenue to the Town, right? This property would be redeveloped. The tax assessment would go through the roof on this. The Town benefits from it.

You know, and we're not bringing in -- we're not bringing in overnights. We -- we -- we are currently building these in Ogden and we have tenants that have been there now three years. We have professors at Roberts Wesleyan College. We have nursing students at the University of Rochester. We have a professional hockey player living with us for a year and a half. We have retired State Police.

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We have zero issues. I don't think the police have been to our site one time. You know, we manage the properties. I'm on-site every day. We're there consistently. We manage our own property. We don't sub that out to anybody to handle. We don't allow tenants to hang flags and do things that are not consistent with the look of the neighborhood.

If you drive through our project at any time, most of our garage doors are closed. We don't allow tenants to leave their garage doors open. We don't tolerate barking dogs. We don't allow people to park in the road. You know, we're very stringent on what we allow because we want the property to look clean and neat.

SUPERVISOR DUNNING: Going back to one of the -- one of the issues that came up about previous -- and you raised it again -- was vacant buildings -- and I think as a Town Board, one of our responsibilities is to -- is to help support getting vacant properties occupied. I mean we still look at it -- a Walgreens that has been vacant for what? Four or five years now trying to get somebody -- a tenant, somebody to come in and occupy it. Fortunately, they have kept that building up.

So, you know, trying to fill vacant buildings is not an easy thing and especially when we're dealing with office buildings. Office buildings are dead. They're gone. People don't rent office space anymore. They just don't do it.

People working from -- you got people working from home since COVID. It has changed the dynamic of everything in here and I will say, you know, it's absolutely true we have had some challenges and Joe (Gizzi) knows, as does Mr. Nagle knows this. We had some challenges with our property, Buffalo Road, the old Community Center, the old school there. We had some challenges there. That is a vacant building that really quite frankly, the interior is starting to deteriorate and we would like to get something like that. So trying to get some -- some activity in North Chili is not necessarily a bad thing for us, too, to be able to sell the property -- our property and unload that.

But -- I will say, the one -- one of the things that I will say -- my experience with the developer here has been nothing but good. What they do -- what they say they're going to do, they do. And I have been always very impressed with our interactions. We have discussed a lot of different projects over the years with them. And different things they want to do. I have seen pretty much every one of their projects they developed. They do maintain them very well and they take care of their property and they build a nice-looking unit. I think at the end of the day, one of the things the Board will need to look at is again what can be done there. And what this -- what this would do to the property versus what can be done on the property currently.

So that is one of those things and do we want to look at a vacant building for the next ten years or longer? Which is quite frankly a possibility. We don't know. We don't know.

But then again, maybe they will change their mind and want to build a Burger King or maybe a Long John Silvers. That is one I prefer. So bring me a Long John Silvers. No. I jest. Those are the things that can be done.

So Joe (Gizzi), thank you very much.

FLORENCE WOOD, Springbrook Drive

MS. WOOD: I just want clarification. My name is Florence Wood. I live at Springbrook Drive.

Is this going to be a Pumpkin Hill situation where the people own it? It sounds like you will rent these out?

MR. GIZZI: Yes. We own them. We own them and rent Elmwood.

MS. WOOD: So why can't people buy them like Pumpkin Hill?

MR. GIZZI: We don't build to sell. We own them and rent them. It is a better situation for everybody because we're responsible for the unit. If we sell off 20 individual units, you have 20 individual residents living there that can live however they want, do whatever they want.

When we manage them, we -- they -- they follow our rules. Right? If we sell them, which is not in the best interest of the Town, they can do whatever they want with them. We don't allow that. We manage them.

SUPERVISOR DUNNING: And he is absolutely right on -- each one of those -- if they sold these -- and this -- this was done over on the Greenwood townhomes on Paul Road next to Wegmans. Each one of those units is actually on an individual lot. So those can -- technically those can be sold because every one of those has their own lot line.

Although, one owner owns -- at least one owner, maybe more -- owns that whole project right now. But it was developed with the intent that perhaps someday they could sell them. That is what they would have to do here.

It is not really what the Town would want. The Town would not want these divided up into individual lots.

MS. WOOD: I'm sorry, Joe (Gizzi). So in reference to renting, they don't pay property tax? They pay --

MR. GIZZI: We pay the property tax.

MS. WOOD: You pay property tax and school tax.

SUPERVISOR DUNNING: They pay it all. The owner of the property always pays the taxes.

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Now, a lessee -- you know, in the case may be -- someone leasing the property obviously is leasing it knowing that -- guess what? They're actually paying the taxes, because the guy who owns the property is not going to just float the taxes for them.

So the leases that are developed are designed with the intent that it includes what the taxes would be on the property. But they pay them. Town, County and school. They pay them all.

MS. DALBA: So if -- if they're -- if you guys are going to own the property, and --

SUPERVISOR DUNNING: You can direct your question here.

MS. DALBA: So they're going to own the property, right? So if we have the drainage problem, do we address them if -- if this goes through?

SUPERVISOR DUNNING: You would initially address the Planning Board.

MS. DALBA: Okay.

SUPERVISOR DUNNING: And then if the Planning Board does not resolve the issues -- if it is related to this project, then, yeah, you would address them.

MS. DALBA: Okay.

COUNCILMAN VALERIO: There would be a Public Hearing at the Planning Board -- if this went through, the Planning Board would hold a meeting, similar to this and you would go to that meeting and discuss your issues.

MS. DALBA: So once we go to the Planning Board and it is a yes, they build and we still have water problems, we don't deal with you guys anymore?

SUPERVISOR DUNNING: If -- if it is caused by the development --

MS. DALBA: Right.

SUPERVISOR DUNNING: -- if it is caused by the development -- and I don't know how would you end up proving that -- it is above my pay grade. I don't know how that works. But I think the first thing to do would be you could talk to our Department of Public Works and then certainly we would talk with the property owners. And that would be true for a neighbor, another business or anything else. That would be the same thing. If -- if a neighboring property causes a problem on your property, we can help with some intervention in that.

COUNCILWOMAN SPERR: Definitely go to the Planning Board and bring it to their attention that the issue exists.

MS. DALBA: Okay. Thanks.

MS. LECCESE: Janet Leccese, Ramblewood Drive. A point of clarification. If they did develop the individual units, there is many little communities that have Homeowners' Associations where they would have to demand certain things that are done with the property from the owners. So that is just a point of clarification. It wouldn't be just a mess if they -- if they did it that way.

SUPERVISOR DUNNING: Thank you.

I would just like to remind or put in for the record that we did -- a written and signed -- some comments and feedback from a Jenny Servo. Town Board did get a copy of this, so everyone gets to see this. But I just want to make sure it is for the record that you're acknowledging that we did receive that.

At this time then I will close -- seeing no other comment, I will close the Public Hearing and we'll move on to our second Public Hearing. Thank you.

The Public Hearing was closed at 8:18 p.m

THE CHILI TOWN BOARD MEETING  
May 17, 2023

The Daily Record (NY)  
16 W. Main St  
Rochester, NY, 14614  
Phone: 5852326920 Fax: 0



**Affidavit of Publication**

To: TOWN Of Chili - Virginia Ignatowski  
3333 Chili Ave  
Rochester, NY, 146245324

Re: Legal Notice 2497987, AMENDMENTS TO CHAPTER 369 (PEDDLING AND SOLICITING  
State of NY  
County of Monroe

}  
} SS:  
}

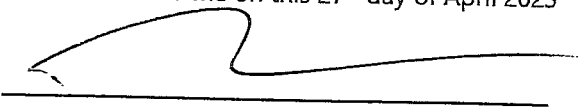
The undersigned is the authorized designee of Ben Jacobs/Associate Publisher of The Daily Record (NY), a Daily newspaper published in Rochester, NY. A notice was published in said newspaper. The text of the notice as published in said newspaper is as set forth below, or in the annexed exhibit. This newspaper has been designated by the Clerk of Monroe County for this purpose. The dates of the publication were as follows: 04/27/2023

**NOTICE OF PUBLIC HEARING ON  
AMENDMENTS TO CHAPTER 369  
(PEDDLING AND SOLICITING) OF  
THE TOWN OF CHILI**


PLEASE TAKE NOTICE, that a Local Law has been introduced to the Town Board of the Town of Chili, New York, on the 12th day of April, 2023, to amend Chapter 369 (Peddling and Soliciting) of the Town Code of the Town of Chili.

PLEASE TAKE FURTHER NOTICE that a Public Hearing upon said Local Law has been scheduled for the 17th day of May 2023, at 7:00 P.M., to be held by the Chili Town Board at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624. An opportunity to be heard in regard thereto will then and there be given. Written comments may also be directed to the Chili Town Clerk, Town Hall, 3333 Chili Avenue, Rochester, New York 14624, on or before 4:30 P.M. on the 17th day of May 2023. If special accommodations are required for the meeting, please notify the Chili Town Clerk by May 5, 2023. The proposed amendments can be found in the Chili Town Clerk's Office and online at <https://ecode360.com/CH0024>. Town Board meetings may be viewed online at: <https://www.youtube.com/channel/UCDPEZ4msE6QKH6CjzIWSGMw>  
Virginia L. Ignatowski, Town Clerk  
2497987 4-27-14

Sworn to me on this 27th day of April 2023

By 

Ben Jacobs  
Authorized Designee of the Publisher

  
ISOLDE M. BELISLE DEMPSEY  
Notary Public, State of New York  
Livingston County Reg. #01BE6444985  
Commission Expires 12/05/26

**PUBLIC HEARING**

A Public Hearing was held by the Chili Town Board on May 17, 2023 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss Local Law \_\_\_ of 2023 to amend Chapter 369 Peddling & Soliciting of the Town Code.

Attendance as previously noted in the 5/17/23 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 8:20 p.m.





THE CHILI TOWN BOARD MEETING  
May 17, 2023

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speaker addressed the Town Board: Tom Ellis. The Public Forum concluded at 8:28 p.m

**MATTERS OF THE SUPERVISOR:**

SUPERVISOR DUNNING: Again, we do have the Memorial Day parade coming up soon here next week, I believe.

COUNCILMAN DECORY: Week from Monday.

SUPERVISOR DUNNING: Week from Monday. Just to -- to note, the parade start is now going to be at the Aldi's plaza, the Aldi's/Big Lots plaza. The -- the veterans were -- were a little -- wondering whether or not they were going to be able to walk the long distance from Grenell down to the Community Center because the ceremony will be held at the Community Center.

COUNCILMAN DECORY: There is no parking there for those of us who are marching, correct? In that plaza.

SUPERVISOR DUNNING: You can park in there. You can park in there, but you're probably -- you're probably better off parking at the -- well, you're better off parking at the Community Center, you know, and hitching a ride over or having someone drop you off over there.

The veterans were torn between not having it and just having a service and no parade and having a parade. So we secured the parking lot for staging there to shorten that distance for some of our elder -- elder people there.

Other than that --

COUNCILWOMAN SPERR: Chil-E Fest? You want to mention the Chil-E Fest parade?

SUPERVISOR DUNNING: Other than that, I just want to --

COUNCILWOMAN SPERR: Sorry. We keep interrupting. I'm sorry, David (Dunning).

SUPERVISOR DUNNING: Other than that, yes. The Chil-E Fest is the June 24th. That -- the parade will go on -- that is 4:30 that -- that evening. The parade will take the old parade route down Paul Road, coming up Chili Avenue into the Community Center. There is a whole new layout for that. They have put a lot of extra attention based on some feedback on some more family-friendly type things and getting away from some of the bounce houses and getting into some more interesting-type activities.

COUNCILWOMAN SPERR: Corn hole.

SUPERVISOR DUNNING: That is a good thing. So again, I would just like to congratulate and thank Councilman Slattery for what he is doing for these charities and I hoped I would see another text message come back from him. Last I knew he was in the shower. So -- so -- so I just -- just -- oh, just getting into the shower. I'm sorry.

COUNCILWOMAN SPERR: That's worse.

COUNCILMAN DECORY: TMI.

SUPERVISOR DUNNING: We'll follow up with him. But anybody that is interested, it's [michaelscharityride.com](http://michaelscharityride.com). He has been posting some updates on there.

**MATTERS OF THE TOWN COUNCIL:** Nothing to report.

The 4/12/23 Town Board meeting minutes were approved.

**REPORTS SUBMITTED:**

Advanced Payment of Claims – April 2023

Architectural Advisory Committee Minutes – 2/8/2022 (No Mtgs. Thru May 2023)

Building Department Report – April 2023

Conservation Board Minutes – March 6, 2023

Dog Control Reports – April 2023

Library Board minutes – 3/28/2023

Monthly Financial Statement – March 2023, April 2023

Planning Board Minutes – 3/14/2023 (No April Meeting)

Recreation/Senior Center Report – March 2023, April 2023

Town Clerk Report – April 2023

Traffic & Safety Committee Minutes – 4/6/2023

THE CHILI TOWN BOARD MEETING  
May 17, 2023

**RESOLUTION #135 RE: SEQR – Declaration of Intent for Lead Agency Status to consider the Incentive Zoning Proposal of 296 Fisher Road.**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, TAOUK Development has requested an Incentive Zoning approval for a property located at 296 Fisher Road (Tax ID: 134.19-1-8); and **WHEREAS**, the Town Board of the Town of Chili (hereinafter referred to as Town Board) has reviewed the Part 1 of the Short Environmental Assessment Form dated January 13, 2023, prepared by LandTech for TAOUK Development for the incentive zoning proposal of 296 Fisher Road (Tax ID: 134.19-1-8) (hereinafter referred to as Action); and

**WHEREAS**, the Town Board determines that said Action is classified as an Unlisted action under the State Environmental Quality Review (SEQR) Regulations; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby designate itself as the lead agency for the Action; and

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

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #136 RE: Set a Public Hearing to Consider Adoption of Incentive Zoning Proposal for 296 Fisher Road**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, LandTech along with TAOUK Development has requested an Incentive Zoning approval for property located at 296 Fisher Road in the Town of Chili; and

**WHEREAS**, the Planning Board of the Town of Chili did, at its May 9, 2023 meeting considered said proposal and subsequently provided written comments to the Town Board on the incentive proposal and its amenities as it relates to all aspects of the Project; and

**BE IT RESOLVED**, that the Town Board will conduct a Public Hearing on said Incentive Zoning Proposal on June 14, 2023 at 7:00 p.m. at the Town Hall Main Meeting Room and that the Town Clerk is hereby directed to publish notice of same.

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

THE CHILI TOWN BOARD MEETING  
May 17, 2023

**RESOLUTION #137 RE: Donation to the Senior Center Trust & Agency Account**

**OFFERED BY: Councilman Valerio**

**SECONDED BY: Councilwoman Sperr**

**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 \$50.00 donation from Mary Lou Heilman and a \$25.00 donation from Marie McGill in Memory of Avana Proctor, to be deposited into the Senior Center Trust & Agency Account.

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #138 RE: Bike Ride for National Center for Missing & Exploited Children**

**OFFERED BY: Councilwoman Sperr**

**SECONDED BY: Councilman Valerio**

**WHEREAS**, the National Center for Missing & Exploited Children has once again asked for the Town's permission to have their June 9, 2023 one-hundred-mile bike ride come through the Town of Chili on Beahan Road, Fisher Road, Paul Road, Jetview Drive, Archer Road, Chili Avenue, Sequoia Drive, Laredo Drive, Chili Center Coldwater Road, Chestnut Ridge Road, Davis Park, Black Cedar Drive, Union Street, Buffalo Road, Orchard Street, Westside Drive, from approximately 9:40 a.m. – 11:15 a.m. to spread the awareness about the plight of missing children and share abduction and exploitation prevention educational materials with children along with raising funds for their agency services; and

**WHEREAS**, they must provide a certificate of insurance naming the Town as an additional insured; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby authorizes the National Center for Missing & Exploited Children to have their bike ride go through the Town of Chili on Friday, June 9, 2023 provided they notify the Monroe County Sheriff's Office at Zone C, the Chili Fire Department and Ambulance prior to the race; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall send notification of this resolution to the National Center for Missing & Exploited Children.

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #139 RE: Library Board of Trustees**

**OFFERED BY: Councilwoman Sperr**

**SECONDED BY: Councilman Valerio**

**BE IT RESOLVED** that Brian Hart be appointed to the Library Board of Trustees for a five (5) year term to expire on December 31, 2027; expenses to be paid by voucher as incurred.

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

THE CHILI TOWN BOARD MEETING  
May 17, 2023

**RESOLUTION #140 RE: Sexual Harassment Prevention Policy**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, on April 12, 2018, New York State amended the state’s labor law by requiring all employers to adopt a “sexual harassment prevention policy” as well as a “sexual harassment prevention training program”; and

**WHEREAS**, the bill further directed the New York State Department of Labor and the New York State Division of Human Rights to publish a model sexual harassment prevention policy and a model prevention program that employers may utilize, rather than creating their own policies and programs; and

**WHEREAS**, the amended law also requires employers to provide the new written policies to their employees and to conduct annual sexual harassment prevention training; and

**WHEREAS**, on April 11, 2023, the New York Department of Labor published a final version of its revised sexual harassment prevention model policy which contains several substantive updates from the prior 2018 version; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Sexual Harassment Prevention Policy originally adopted by Resolution #220 on October 9, 2018, shall be updated to the revised New York State Department of Labor’s model policy; and

**BE IT FURTHER RESOLVED**, that this policy replaces Section 201 – Sexual Harassment, of the Town’s Personnel Policy, as adopted on March 15, 2023, Resolution #104.

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #141 RE: Records Management Policies & Procedures**

**OFFERED BY: Councilman Valerio**

**SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that the Records Management Policies & Procedures adopted by Resolution #52 on January 12, 2019 was reposted with revisions on March 14, 2023, without any comments or objections and shall remain in effect dated May 17, 2023 by Resolution #141.

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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THE CHILI TOWN BOARD MEETING  
May 17, 2023

**RESOLUTION #142 RE: ARPA/ SLFRF Funds and MVP Grant**

**OFFERED BY:** Councilman DeCory

**SECONDED BY:** Councilwoman Sperr

**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 outdoor fitness equipment to be installed at Union Station Park; and

**WHEREAS**, the Town has been awarded a \$50,000.00 grant from the 2023 MVP campaign NY & VT to help cover the cost of National Fitness Campaign services and a fitness court to be installed at Union Station Park; and

**NOW, THEREFORE, BE IT RESOLVED**, to accept the MVP grant and authorize the Supervisor to sign any documentation necessary to facilitate this award and the project; and

**BE IT FURTHER RESOLVED**, to amend revenue account A2089 (Other Culture and Recreation) by an increase of \$50,000.00; to amend revenue account A4089 (Federal Aid – Other) by an increase of \$200,000.00; and to amend expense account A7110.2 (Parks - Equipment) by an increase of \$250,000.00; and

**BE IT FURTHER RESOLVED**, to authorize \$165,000.00 of the project funds to be paid to the National Fitness Campaign upon receipt of invoice. All other projects costs to be paid as expenses incurred.

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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THE CHILI TOWN BOARD MEETING  
May 17, 2023

**RESOLUTION #143 RE: Charging Stations**

**OFFERED BY:** Councilman DeCory

**SECONDED BY:** Councilman Valerio

**WHEREAS**, the Town is looking to install a series of electric vehicle charging stations across five different Town owned properties, including the Union Station Park, Davis Park, Widener Park, Town Hall, and the Highway facility, as well as upgrading an existing station at the Community Center; and

**WHEREAS**, the total project cost for the new charging stations and replacement of the existing station will be \$203,340.00; and

**WHEREAS**, the Town has been awarded \$99,216.00 through the RG&E Make Ready Incentive program, as well as \$89,463.00 from the NYS Department of Environmental Conservation through Round 6 of the Municipal Zero-emission Vehicle (ZEV) Infrastructure Grant program, making the net cost to the Town for this project \$14,661.00; and

**NOW, THEREFORE, BE IT RESOLVED**, to accept the RG&E Make Ready Incentive Award and NYS Department of Environmental Conservation Municipal Zero-emission Vehicle Infrastructure Grant, and authorize the Supervisor to sign any documentation to facilitate these awards and the project; and

**BE IT FURTHER RESOLVED**, to amend the 2023 revenue budget A3910 (State Aid – Conservation Programs) by an increase of \$89,463.00; and amend the 2023 expense budget A1620.2 (Buildings - Equipment) by an increase of \$89,463.00; and

**BE IT FURTHER RESOLVED**, to transfer \$14,661.00 from A1990.4 (Contingency) to A1620.2 (Buildings - Equipment).

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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THE CHILI TOWN BOARD MEETING  
May 17, 2023

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I just want to say I'm really, really glad to bring this resolution forward. As you know with the sale of our old building, the memorial has been placed at the -- temporary location, but we have thought it would be more fitting to do something more fitting at the Community Center and the amount of people that would get to see a much nicer memorial. So I just want -- this is a very good thing for us.

So with that, any other questions or comments?

**RESOLUTION #144 RE: ARPA/ SLFRF Funds – Veteran’s Memorial.**

**OFFERED BY: Councilwoman Sperr                      SECONDED BY: Councilman Valerio**

**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 constructing a new veteran’s memorial at the community center, and to begin that process by engaging in concept designs, specs and cost estimates; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$26,000.00; and to amend expense account A7110.2 (Parks - Equipment) by an increase of \$26,000.00.

Councilman DeCory    - Aye  
Councilman Slattery   - Absent  
Councilwoman Sperr   - Aye  
Councilman Valerio    - Aye  
Supervisor Dunning   - Aye

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**RESOLUTION #145 RE: Chili Fire Department Active List**

**OFFERED BY: Councilman Valerio                      SECONDED BY: Councilman DeCory**

**BE IT RESOLVED** that the following individual(s) be added to the Chili Fire Department active list effective May 8, 2023:

Andrew Romano, Andrew Snios, Zechariah Stahl

Councilman DeCory    - Aye  
Councilman Slattery   - Absent  
Councilwoman Sperr   - Aye  
Councilman Valerio    - Aye  
Supervisor Dunning   - Aye

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THE CHILI TOWN BOARD MEETING  
May 17, 2023

**RESOLUTION #146 RE: Chili Fire Department Exempt List**

**OFFERED BY: Councilwoman Sperr                      SECONDED BY: Councilman DeCory**

**BE IT RESOLVED** that the following individual(s) be added to the Chili Fire Department exempt list from the CFD active list effective April 25, 2023:

Jason Elliotto

Councilman DeCory    - Aye  
Councilman Slattery   - Absent  
Councilwoman Sperr   - Aye  
Councilman Valerio    - Aye  
Supervisor Dunning   - Aye

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**RESOLUTION #147 RE: C.H.I.P.S. Budget Amendment**

**OFFERED BY: Councilman Valerio                      SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the year 2023 budget for the C.H.I.P.S. account included \$175,000.00; and

**WHEREAS**, the Town of Chili was informed by the State of New York that the 2023 C.H.I.P.S. apportionment for Chili will be \$248,591.19; and

**WHEREAS**, the Town of Chili will be receiving funding under the PAVE NY Program for the rehabilitation and reconstruction of local highways in the amount of \$59,062.64; and

**WHEREAS**, the Town of Chili will be receiving funding under the Extreme Winter Recovery (EWR) Program in the amount of \$47,556.30; and

**WHEREAS**, the Town of Chili will be receiving funding under the Pave Our Potholes (POP) Program in the amount of \$39,375.10; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend accounts DA3501 (State Aid/CHIPS) and DA 5112.4 (CHIPS-contractual) to \$394,585.23.

Councilman DeCory    - Aye  
Councilman Slattery   - Absent  
Councilwoman Sperr   - Aye  
Councilman Valerio    - Aye  
Supervisor Dunning   - Aye

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THE CHILI TOWN BOARD MEETING  
May 17, 2023

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I'm surprised this went that quick. I'm surprised the flooring didn't last that long.

DAVID LINDSAY: Just a little bit.

COUNCILWOMAN SPERR: Little bit.

**RESOLUTION #148 RE: Highway Floor Repair**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Valerio**

**WHEREAS**, the Town of Chili desires repair portions of the concrete floor along the center drain in the main truck garage to mitigate future deterioration as a result of exposure to salts and other items; and

**WHEREAS**, three (3) quotes were solicited with only one (1) submitted response as follows: Company Quote Simon Surfaces \$19,985.00

**WHEREAS**, the Commissioner of Public Works/Superintendent of Highways has reviewed the submitted quotes and has made a determination that the proposal Simon Surfaces 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 Highway Superintendent to accept the quote from \$19,985.00 to complete the repair and to be paid from Acct: A1620.4000.0009 (Buildings – Contractual – Highway Facility Reserves).

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #149 RE: Authorization to Hire Lu Engineers for the Preparation of Bid Documents for Cold Storage Renovations**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the Town intends to renovate the existing cold storage barn located at 177 Archer 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 \$30,000.00 to be paid from H7110.2000.0061 (Special Rec Facility – Equipment – Archer Rd Park).

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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THE CHILI TOWN BOARD MEETING  
May 17, 2023

**RESOLUTION #150 RE: Authorization to Hire Lu Engineers for the Preparation of Bid Documents for Veterans Memorial**

**OFFERED BY: Councilman Valerio**

**SECONDED BY: Councilman DeCory**

**WHEREAS**, the Town intends to construct a veteran's memorial on the Community Center campus; 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 \$18,000.00 to be paid from A7110.2 (Parks - Equipment).

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #151 RE: 2023 Summer Camp**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, that per the recommendation of Michael Curley, Parks & Recreation Director, that Lauren Jarvis & John Bagley be appointed Summer Camp Site Leaders and be paid \$15.50 per hour.

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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THE CHILI TOWN BOARD MEETING  
May 17, 2023

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: In light of the information brought to our attention tonight, is it possible we could table this -- this resolution to be able to study a little bit about the information that was brought forth? It seems reasonable to me.

SUPERVISOR DUNNING: Is there a motion?

COUNCILMAN VALERIO: Motion.

SUPERVISOR DUNNING: Is there a second?

COUNCILWOMAN SPERR: Second.

COUNCILMAN VALERIO: Motion to table.

JARED HIRT: Until the June 14th –

COUNCILMAN VALERIO: Motion to table Resolution 152 to the June meeting.

COUNCILWOMAN SPERR: Yes.

SUPERVISOR DUNNING: On the motion to table.

**Motion to Table:**

**OFFERED BY: Councilman Valerio**

**SECONDED BY: Councilwoman Sperr**

**On the Motion to Table: 3 yes to 1 no (Supervisor Dunning)**

**RESOLUTION #152 RE: Demolition Award for 768 Marshall Road Tax Map No. 134.17-3-91**

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

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

**WHEREAS**, the Town Board of the Town of Chili in Resolution #264 dated December 14, 2022 authorized the demolition of structure(s) at 768 Marshall Road; and

**WHEREAS**, Three quotes requested where received for the work; and **WHEREAS**, the quotes are as follows:

<u>Contractor</u>	<u>Quote</u>
Frederico Demolition	\$42,983.40
Expert Environmental & Construction Group	\$49,900.00
Sessler Environmental Services	\$27,750.00

**WHEREAS**, the Building Department Manager has reviewed the submitted quotes and has made the determination that the proposal from Sessler Environmental Services best meets the intent of the specification and requirements of the town and is acceptable and hereby recommends that it be accepted; and

**NOW, THEREFORE, BE IT RESOLVED**, to increase expense budget A3620.4 (Safety Inspection - Contractual) by \$35,000.00; and

**BE IT FURTHER RESOLVED**, to amend the General Fund appropriated fund balance to \$1,945,000.00 from the 2023 revised budget amount of \$1,910,000.00; and

**BE IT FURTHER RESOLVED**, to accept the quote from Sessler Environmental Services for a cost to not exceed \$27,750.00 and authorize Supervisor Dunning to sign the necessary paperwork, to be paid from A3620.4 (Safety Inspection – Contractual).

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THE CHILI TOWN BOARD MEETING  
May 17, 2023

**RESOLUTION #153 RE: In Memory of Joseph Sherwood**

**OFFERED BY: Supervisor Dunning**

**SECONDED BY: Councilman DeCory  
Councilwoman Sperr  
Councilman Valerio**

**WHEREAS**, we the Town Board of the Town of Chili find it befitting to extend our deepest sympathy to the Sherwood family during the passing of Joseph Sherwood, who on May 9, 2023 passed away; and

**WHEREAS**, Joseph Sherwood served from 4/22/1963 – 7/3/1995 as a MEO I for the Highway Department; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Chili hereby sets aside this special page of their minutes from this Town Board Meeting in his honor and takes a moment of silence in Joseph Sherwoods’s memory. The Town Clerk is hereby directed to send a copy of this resolution to the Sherwood family.

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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THE CHILI TOWN BOARD MEETING  
May 17, 2023

**RESOLUTION #154 RE: Friends of the Library Donation**

**OFFERED BY: Councilman Valerio**

**SECONDED BY: Councilman DeCory**

**WHEREAS**, the 2023 budget expected a donation from the Friends of the Chili Public Library in an amount of \$8,000.00; and

**WHEREAS**, the Friends of the Chili Public Library at their January 10, 2023, meeting approved a donation of \$10,000.00 for the Chili Library; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend revenue account L2705 (Gifts & Donations – Friends of the Library) by an increase of \$2,000.00; and to amend expense account L7410.4089.9 (Library- Other Operations & Maintenance - Juvenile) by an increase of \$1,000.00; expense account L7410.4089.9 (Library- Other Operations & Maintenance – Young Adult) by an increase of \$500.00; and expense account L7410.4089.9 (Library- Other Operations & Maintenance - Adult) by an increase of \$500.00.

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #155 RE: April 19, 2023 Abstract**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, January 2, 2023 Resolution #1 authorized vouchers to be paid April 19, 2023, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 43258, 43262-43269, 42373-43280, 43283-43296, 43300-43360 totaling \$104,098.92 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	\$ 60,858.74
Admin Facility Reserve	12,003.00
Highway Fund	27,007.77
Library Fund	3,728.74
Drainage District	191.64
Fire Protection Districts	<u>309.03</u>
Total Abstract	\$ 104,098.92

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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THE CHILI TOWN BOARD MEETING  
May 17, 2023

**RESOLUTION #156 RE: May 3, 2023 Abstract**

**OFFERED BY: Councilwoman Sperr                      SECONDED BY: Councilman DeCory**

**WHEREAS**, January 2, 2023 Resolution #1 authorized vouchers to be paid May 3, 2023, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 43365-43367, 43370-43373, 43375-43376, 43379, 43383, 43385, 43388-43391, 43398-43403, 43408-43433, 43437-43460 totaling \$570,361.53 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	\$ 540,064.69
Insurance Reserve	9,500.00
Highway Fund	2,685.70
Library Fund	3,147.77
Drainage District	17.92
Street Lighting Districts	<u>14,945.45</u>
Total Abstract	\$ 570,361.53

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #157 RE: May 17, 2023 Abstract**

**OFFERED BY: Councilman Valerio                      SECONDED BY: Councilman DeCory**

**BE IT RESOLVED** to pay vouchers 43461-43476, 43480-43494, 49496, 43501-43502, 43507-43545, 43547-43550, 43552-43564, 43566-43582 totaling \$198,086.93 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 88,420.31
Admin Facility Reserve	798.90
Insurance Reserve	8,708.00
Highway Fund	94,924.74
Library Fund	3,539.98
Drainage District	1,494.00
Fire Protection Districts	<u>201.00</u>
Total Abstract	\$ 198,086.93

Councilman DeCory - Aye  
Councilman Slattery - Absent  
Councilwoman Sperr - Aye  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

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The next meeting of the Chili Town Board will be on June 14, 2023 at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.

The meeting was adjourned at 8:41 p.m.

*Virginia Ignatowski, Town Clerk*