

THE CHILI TOWN BOARD MEETING  
June 14, 2023

CHILI TOWN BOARD  
June 14, 2023

A regular meeting of the Chili Town Board was held on June 14, 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; Councilman Slattery, Councilwoman Sperr, Councilman Valerio and Supervisor David Dunning.

**ALSO PRESENT:** Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; Jared Hirt, Counsel for the Town; Virginia Ignatowski, Town Clerk; Daniel Knapp, Director of Finance; David Lindsay, Commissioner of Public Works/Highway Superintendent; Councilman Slattery, Deputy Town Supervisor; 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.

**PRESENTATIONS/ANNOUNCEMENTS:**

1. Incentive Zoning Request for 50 Airpark Drive - Jeff Cook.

**SUPERVISOR DUNNING:** We do have one presentation this evening and that is for incentive zoning for 50 Air Park Drive. So I would like to invite Jeff Cook up. And, Jeff (Cook), if you would like to give us a presentation what you're looking at, we would appreciate that.

**MR. COOK:** Sure. My name is Jeffery Cook. I'm the CEO of Cook Properties.

**SUPERVISOR DUNNING:** I will ask you one thing if you could. If you could go over by the -- by the podium. Microphone picks up -- this is all recorded so the microphone will pick up the dialogue.

**MR. COOK:** Should I have the public looking at this?

**COUNCILMAN SLATTERY:** If you want, right over on this side if you want, please.

**MR. COOK:** Sure. I can leave these here if you want.

**COUNCILMAN SLATTERY:** We have the drawings so I think it's better for the public.

**MR. COOK:** I can walk around.

**COUNCILMAN SLATTERY:** Way to go, Vanna.

**MR. COOK:** Vanna White.

So like I said, my name is Jeffery Cook. I'm the CEO of Cook Properties.

We own 90 Air Park Drive which is the office building to the -- to the east of the property, the subject property that I'm here about tonight. We bought this 50 Airpark, which is to the west of our property, about a year and a half ago. We were going to use it for one business venture and that -- we decided not to go in that direction, so we have decided to do something else with it.

It's a 33,000 square foot shell of a building. We want to convert that to indoor climate-controlled storage. In addition to the conversion of -- of the existing building, we also want to put up five drive-up, non-climate-controlled storage buildings. And those equate to approximately 27,000 square feet.

So we are requesting an incentive zoning package to -- to accomplish our -- our goal here for this project.

The main requests that we have are for side and rear setbacks for the existing and for the new buildings. The -- the other thing we're looking for is front yard -- I'm sorry -- front yard security variance because we would like to put a 6-foot fence up front.

Then lastly just for the lot width.

So a few things we're looking for to -- again, as far as the incentive zoning request. That is really about it.

I will give you a little more history of the building. It's -- we have owned our office building for almost five years now. It will be five years this summer. It's been -- the building next door, 50 Airpark, has been vacant for about -- about seven years. Originally it was built for a tenant. Not by us, by a previous owner. It was built for a tenant and I'm not sure exactly what happened, but the tenant never moved in. The build-out was never finished.

The bank, Community Bank foreclosed on the property and like I said, we bought it about a year ago, so. We're -- we're looking to make the investment to -- again, to convert it to the indoor and the outdoor climate-controlled storage. At -- you know, it's on the tax rolls but obviously significantly increases the value, you know, to the community and -- and to the tax rolls.

**SUPERVISOR DUNNING:** Questions from the Board?

**COUNCILMAN SLATTERY:** Jeff (Cook), in regard to this, the proposed storage units, setback, how far away from the road -- Scottsville Road would that be?

THE CHILI TOWN BOARD MEETING  
June 14, 2023

MR. COOK: So, yeah. So we are -- I don't have a picture. But -- so our building -- this is right behind the Dunkin' Donuts on Scottsville Road.

And there is also -- if you think of Air Park Drive, from Scottsville, we're probably -- the building itself is probably 400 feet. It is quite a ways back. With -- with the existing Dunkin' Donuts and the used car dealer and the mixed use retail office that's in front on Scottsville Road, you wouldn't be able to see this.

COUNCILMAN SLATTERY: That's my point. That is where I was going to go with this. From a visibility standpoint, to be able to see it, I know when you look at the various storage units we have throughout our community, on King Road, you can see some of that from what they built on both sides.

Um, and then there is other ones that are shielded by vegetation, by other buildings and so forth. So you're -- you will be sitting back. Then also what you have around you.

Can you describe some of the area -- in case people don't -- aren't aware of the other businesses?

MR. COOK: Of course.

So to our -- to our east is AmChar. It's a -- it actually looks very similar to the -- to the building in question. Um, it is a metal -- metal, two-story manufacturing-type facility.

To our west is a -- it is the RG&E facility. To our immediate west is their storage yard for all their electrical equipment and what have you. And then further to the west is their -- their office building.

COUNCILMAN SLATTERY: Which are multi-story -- stories, so it's not like a single floor, you know, type of structure?

MR. COOK: The RG&E building is, I believe, two stories, maybe three. I'm pretty sure it is two. AmChar is two stories.

Our office building is four.

The 50 Airpark is two-story in the front and then the back is -- I will call it one-and-a-half stories.

COUNCILMAN SLATTERY: The storage unit would be within that area of your two current buildings?

MR. COOK: Correct. It will all be on 50 Airpark. So the front -- front of the building will look as it is does now. The storage units would be in the back of the building and this particular parcel actually loops -- does an L-shape behind our building. So the additional storage units would be actually behind our building. The people that would see the storage units the most would be us.

COUNCILMAN SLATTERY: So in regards to the pathway that is back there, the bicycle path, jogging path, I know the training facility, the Army, military utilize that. How close would you be to that?

MR. COOK: Again, we would still be obviously within our lot. I have never been back to the path there. I'm not sure exactly. I'm guessing probably 50, 60 feet.

But the one thing we do want to do, which I mentioned in our request, is we want to have fencing all of the way around the property. Not only for our security, but just to keep -- keep everything in.

COUNCILMAN SLATTERY: And also I know when you go along the -- the Genesee River, there is a storage facility over there by Brooks Avenue. In that area on Chili Avenue.

MR. COOK: Correct.

COUNCILMAN SLATTERY: So you know -- which is close to that trail, as well.

MR. COOK: Yep.

COUNCILMAN SLATTERY: I know they have the storage -- or fence that goes through there. I believe theirs is electric. Just that proximity to that bicycle path, so...

MR. COOK: Yeah. We wouldn't be electrifying it or -- or barbed-wiring it. We would have a gate. There would be -- that would be closed 24/7, just accessed by the tenants.

COUNCILMAN SLATTERY: Sure. That is all I have for right now. Thank you.

SUPERVISOR DUNNING: So this is an incentive zoning request. So this -- with the permission of the Town Board, this would next then go to the Planning Board for their review and to vet the project and then come back with a recommendation whether or not the project is -- is right and the incentive is right for the project.

So -- I guess I would ask the Board if there is any opposition to sending it to the Planning Board for that -- for that review.

COUNCILWOMAN SPERR: Doesn't this also have to go before the Zoning Board --

SUPERVISOR DUNNING: No.

COUNCILWOMAN SPERR: -- because he is asking for variances?

SUPERVISOR DUNNING: No. The variances are included in the incentive. Part of the incentive.

COUNCILWOMAN SPERR: Just wanted to clarify.

SUPERVISOR DUNNING: Yes. All that would be there. So if there is no objection, I would recommend that we send Mr. Cook to the Planning Board for their recommendation from here.

COUNCILMAN SLATTERY: Well, I think that is also important to mention that we have done this in the past, previous administrations, as well. But I think it's important because that's their training, that's their background. They're the professionals. They will dissect this more than what we are.



THE CHILI TOWN BOARD MEETING  
June 14, 2023

---

PUBLIC HEARING.

A Public Hearing was held by the Chili Town Board on June 14, 2023 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. to discuss Incentive Zoning Request for 296 Fisher Road – John Sciarabba - LandTech.

Attendance as previously noted in the 6/14/23 Chili Town Board meeting minutes.

SUPERVISOR DUNNING: Next we do have a Public Hearing. Public Hearing is for the incentive zoning request for 296 Fisher Road. Um, I would ask -- oh, you're already there.

John (Sciarabba) is up here for -- he'll go over and review this with us. We know that they have been before us before on this. We did send this over to the Planning Board. It should be noted the Planning Board did make a positive recommendation for this project.

So John (Sciarabba), you can take it from here.

John Sciarabba and Dan Thomas were present to represent the applicant.

MR. SCIARABBA: Yes. Good evening, Mr. Supervisor, Members of the Board. My name is John Sciarabba with LandTech. I'm representing TAOUK Development this evening. Mr. Dan Thomas, the owner of TAOUK Development is here to answer any questions that I cannot.

I will keep this very brief. I know that the Town Board has heard this speech a few times. Also the Planning Board, as well. But we're looking for incentive zoning of this five-acre parcel of land located on Fisher Road. This is right in front of the RG&E substation on the east side of Fisher Road, right where the Niagara Mohawk power lines cross Fisher Road, as well.

We think this is a good use of the property because it is already quasi industrial in this area and we're proposing a flex space project. These are three buildings that will have different suites for renting out to contractors and hobbyists and things such as that. This site has access to public water, gas electric and sanitary sewer.

And the site -- I think the layout that we currently have and look forward to presenting to the Planning Board in more detail in the future if we do get the rezoning -- but the buildings are pushed off the road at least 150 feet off Fisher Road. Everything in the project is oriented inside so the buffer of -- the buildings themselves will buffer the neighbors. All lighting and doors will be pointing inside.

We think that this is a need in the Town of Chili that -- these spaces are available for contractors to store their -- their equipment and -- and supplies.

Other than that, we look forward to moving forward with this project. Hope you agree with it.

SUPERVISOR DUNNING: Thank you. So I would ask then is -- is there anyone -- I will open the Public Hearing. Anyone wishing to speak at the Public Hearing, step up to the podium and state your name and address for the record, and you will be heard. This on the 596 Fisher Road -- 296. I'm sorry. 296 Fisher Road.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

DARRYL CLEMENTS, 226 Fisher Road

MR. CLEMENTS: Yes. Darryl Clements, 226 Fisher Road. I have been in the neighborhood 33 years. It was an older neighborhood from the beginning, but now it's a more kid-friendly neighborhood. There's a lot of up-and-coming families in the neighborhood.

It's becoming congested with traffic now. Kids wouldn't stand a chance as fast as those trucks go up and down Fisher Road. It wouldn't be a good idea to bring more traffic onto that -- in that area. We're asking it to be shut down just for that reason alone. I mean it's too much traffic on the street as it is now. The trucks fly up and down there.

And if it is going to be contractors coming in and out with their semis and their dump trucks and whatever, there's going to be a problem. I mean between the school buses, the group homes and everything there now -- like I said, it wouldn't be a good idea for the kids alone. We're asking for it to be shut down.

SUPERVISOR DUNNING: Okay. Anything else?

MR. CLEMENTS: No. That's it.

BARBARA WILLIAMS, 330 Fisher Road

THE CHILI TOWN BOARD MEETING  
June 14, 2023

MS. WILLIAMS: Barbara Williams, 330 Fisher Road. I just have a few questions. Does the Town know which end people tend to access that area? Is it from Chili or from Beahan? From other traffic studies?

SUPERVISOR DUNNING: I don't know if I can answer that. I -- I don't -- we -- we have not conducted any traffic studies that I can refer to on that particular road.

MS. WILLIAMS: Because -- I'm sorry. Go ahead.

SUPERVISOR DUNNING: It may have been a long time ago. Maybe Wegmans did something at some point, but it would have been a long time ago.

MS. WILLIAMS: Just looking at the map and where the entrance to the property is, it looks very small. So I'm just wondering if the gentleman talking about large equipment -- I mean I can envision trying to get into my driveway and being behind a -- I don't know, a tractor or a slow-moving vehicle. Do you -- could you talk a little bit about the kinds --

SUPERVISOR DUNNING: You can -- direct the questions to us, if you would please, and we'll --

MS. WILLIAMS: Sure. So I'm just curious about that.

SUPERVISOR DUNNING: That's okay. We'll direct the applicant to answer.

MS. WILLIAMS: Just curious about that.

And well, I see -- I know that you said the lights from the buildings would be directed towards the center.

Will there be very tall lights in the parking lot that will be visible? I mean we don't -- because our property is so long, we have a buffer from seeing the RG&E building and planes on the runway and even the trains. We hear them, but we don't see them.

So my question is will there be tall lights in the parking lot that are going to disturb our enjoyment of the property?

SUPERVISOR DUNNING: Would -- I'm going to just make a comment. You will get your answers, but I will make a comment.

Those definitely are things that are more related to the Planning -- the Planning Board application should this go to a site plan. So lighting, traffic and those things are addressed.

The Town Board here is -- is charged with determining whether or not the project is worthy of the incentive zoning. To change our zoning to allow this project to -- to go in there.

The rest of it, how it is built out, is up to the Planning Board. But I am going to ask either John (Sciarabba) or Dan (Thomas) -- if you could answer both of those questions, we would appreciate it.

MR. SCIARABBA: Sure.

SUPERVISOR DUNNING: Go ahead.

MR. SCIARABBA: So I guess what I will start with is access to the site. So we have a -- a private driveway that will be gated that will be 24 feet wide, I think -- if you look at Fisher and measure Fisher Road, it is probably about 22 feet wide. So this would be a size to handle anything that is needed for any commercial project. Typical Town standard, 24-foot wide with a turning radius to access the road. I don't see that being an issue.

COUNCILMAN SLATTERY: John (Sciarabba), if you could real quick and I will -- the size of the vehicles that would -- be able to get into the property? Are you looking at tractor-trailer size or are they smaller like ten-wheelers?

MR. SCIARABBA: Yeah, mostly tractor-trailers would be on occasion if there was some need. But we're not proposing any major tractor-trailers. Mostly step vans, landscape people with trailers, things like that. You know, city trucks. Not -- not -- we're not providing parking for --

COUNCILMAN SLATTERY: When you say "city trucks," what are you talking?

MR. SCIARABBA: Step vans like you mentioned. Contractor truck. Not 18-wheelers.

COUNCILMAN SLATTERY: A box truck?

MR. SCIARABBA: Yes.

COUNCILMAN SLATTERY: When you talk about your turning radius and the road, um -- because I'm going to go to Mr. Lindsay in a minute and one of the questions I will ask him is when was the last time that a traffic count was done. Because I know County roads, State Roads, they put out the traffic counts and see the volume of traffic that goes through there.

Supervisor mentioned Wegmans. When they did their development, which is pretty large, they were -- you know, they -- something was done back then.

So as far as getting the tractor-trailers in there, they will have a little difficult time maneuvering it. Would they have to back into the property? Or could they pull in and then be able to circle around there?

MR. SCIARABBA: Again, we're not proposing a major access or major portion of this for tractor-trailer traffic. I wouldn't say that somebody might not get a delivery once in a while or during construction a large truck has to come in, but we're not proposing to stay overnight or rent to a facility that needs an 18-wheeler.

COUNCILMAN SLATTERY: For a truck to come in and do a delivery then, you're talking a type of product -- there is pallets inside the truck, they're going to unload a pallet, not the whole truckload?

THE CHILI TOWN BOARD MEETING  
June 14, 2023

That something -- or am I not accurate with that? Depending on what businesses you have, it's going to be hard to answer.

MR. SCIARABBA: A lot of these I mentioned -- let's say a landscape company. A lot of these uses are really not intensive. They might have mowers that there -- or they might service them or -- or -- but - but they do pick up supplies there and go to the job. This is not where people really work all day. And I think going back to your question about 18-wheelers, I think within the configuration -- although it's a rather small scale, I don't think we'll have a problem showing turning movements for 18-wheelers to get through, but it's just not part of our business model at this time.

COUNCILMAN SLATTERY: When -- you talked about 24-foot wide access. When you look at a residential driveway, basically you're talking 20 feet. Then you have the 5 foot radius down at the apron by the road. To keep it in perspective, no different than pulling into a parking lot or -- or a residential driveway. So.

MR. SCIARABBA: Yes. I think it will be a little bigger in the sense we want to make sure it can handle two-way traffic in that area. And we'll meet Town standards and we're aware of the details required by the Town of Chili.

COUNCILWOMAN SPERR: The Planning Board will require them to have a traffic study done anyway, right, for the project?

COUNCILMAN SLATTERY: Not necessarily depending on the impact with what they're proposing.

MR. SCIARABBA: The other question is regarding lighting and things such as that. I did mention that the focus is internal to the site. So the backs of the buildings will not have doors on them. The garage doors all face internally.

We're proposing building-mounted lights currently but we do have -- we'll probably have some pole lights that will be to Town standards. As I know, this Board knows and I know the Planning Board will hold us to that standard of dark sky compliant where we can't shine light off our site. So we'll work with the Planning Board in the future and show lighting contours so we don't negatively affect the neighbors.

COUNCILMAN SLATTERY: General height of these lights? I know we don't want to start getting into the Planning Board.

MR. SCIARABBA: I would say probably 16 to 22 feet, in that range, is what we normally see for pole-mounted lights for facilities like that.

COUNCILMAN SLATTERY: I just want to try -- if people have questions, they may be thinking what the height will be.

MR. SCIARABBA: Not like Wegmans parking lot with a 100-foot pole.

COUNCILMAN SLATTERY: I don't want to be a John Nowicki and do Planning Board stuff.

SUPERVISOR DUNNING: Thank you. All right. Thank you, John (Sciarabba).

BOB WILLIAMS, 330 Fisher Road

MR. WILLIAMS: Bob Williams, 330 Fisher Road. I just wanted to mention a traffic issue that was brought by my wife and this gentleman over here. I think Fisher Road -- we have been -- I have been there for over 40 years -- gets a lot of traffic.

I would recommend a traffic study because a lot of people going to Henrietta and parts south use Fisher as a -- as a short cut to get into Chili and Gates. So there is a lot of people that don't live there that use that road back and forth. And unless you live there, you're not going to beware of that.

With that in mind, I would just think that a traffic study would -- would be almost imperative for the neighbors that live there. It's -- it's -- it's busier than one might think already. So that is my biggest concern.

SUPERVISOR DUNNING: And thank you. And I would encourage anyone concerned about the actual site plan, which is what we're basically talking about here -- that should this project end up at the Planning Board for site plan, that -- that that -- I would highly recommend you show up to those Planning Board meetings and say -- make your recommendations and -- those are the things that they need to hear from the public as far as traffic goes, lighting goes, egress -- ingress/egress. Those are all Planning Board issues that I'm sure will be -- be well received by the Planning Board.

All right?

COUNCILMAN SLATTERY: Supervisor, if I could real quick, Dave Lindsay, um -- I know, you know, you guys have been before us a couple times before and some of this has already been discussed.

But a weight limit for that road? Is it seasonal or is there not one?

DAVID LINDSAY: There is an existing posting on that load, I believe -- on that road. It's at four tons. I think it was probably not related to the structural integrity of the road but maybe to limit truck traffic given the residential character of the street.

We don't do regular traffic counts on our roads, but the State DOT does and the most recent one they did was 2019. They had a -- average annual daily traffic of 980 with a truck traffic of 42.

COUNCILMAN SLATTERY: 42 for trucks, 900 -- and just for an example, for comparison, um, if we -- if we just mentioned Beahan Road, you know -- just to look at that -- I don't know if you have access to that.

THE CHILI TOWN BOARD MEETING  
June 14, 2023

DAVID LINDSAY: I do. Just give me a moment here to see if I can find you here.

COUNCILMAN SLATTERY: We can put you on hold and have some music.

SUPERVISOR DUNNING: Please don't sing.

DAVID LINDSAY: Average daily traffic for Beahan Road is 3,786 with a truck traffic of about 290. That was done in 2019, as well.

COUNCILMAN SLATTERY: All right. So thank you.

STEVE GINOVSKY, 19 Hubbard Drive North Chili

MR. GINOVSKY: Part of the answer -- I did hear it. It's the weight limitation on Fisher Road. I did work for a gentleman at one time that lived on Fisher Road and the weight limitation and the egress on that road -- they do drive fast. There is no ifs, ands or buts about it and it needs to be patrolled even more than what's being done.

But with the -- with the weight limitation, is the road really ready for it? And a count? I think that might be in order. That was the question I was going to ask. Thank you. Thank you very much.

SUPERVISOR DUNNING: Thank you.

MARK PETRALIS, 232 Fisher Road

MR. PETRALIS: Mark Petralis, 232 Fisher Road. I have the same concern of all of them. Traffic and I'm raising a family. 4 and 3-year-old. We have enough traffic. School buses.

We have a -- a home across street from us with their buses -- they come in all day. Speeders. The egress. They come down that -- that shoot and they're well above their 30. That's my worry.

COUNCILMAN SLATTERY: If I can real quick -- you said the house across the street with buses that come and go all day?

MR. PETRALIS: Group home.

COUNCILMAN SLATTERY: Okay. I wasn't sure.

MR. PETRALIS: Always stopping traffic there. On top of the hill, you can't see.

COUNCILMAN SLATTERY: With buses coming and going all day, I wasn't sure what type of facility it was.

MR. PETRALIS: He is talking tractor-trailers. But backhoes. Dump trucks.

COUNCILMAN SLATTERY: Thank you.

MR. PETRALIS: More traffic. Don't like it.

LAURIE, 29 Ballantyne

LAURIE: My name is Laurie and I just have a comment about incentive rezoning.

SUPERVISOR DUNNING: Address, please? The address?

LAURIE: 29 Ballantyne. I have a comment about incentive rezoning. I'm not quite sure I understand why Chili is rezoning properties and disrupting wooded areas when there are many vacant buildings and vacant lots that are already zoned for commercial and industrial. Um, I don't live on Fisher, but I wouldn't want these flex buildings built, you know, down the street from me either.

There's plenty of spaces to build these commercial buildings without changing nice, quiet neighborhoods and increasing traffic and increasing noise, when we purchased our homes to live in a nice, quiet area.

Thank you.

SUPERVISOR DUNNING: Thank you.

The Public Hearing was closed at 7:28 p.m.

SUPERVISOR DUNNING: We don't vote on this tonight, so next time this could even possibly come up would be at the Chili Town Board meeting in July.

---

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speakers addressed the Town Board on various subjects: Linda Schmalfluss, Zoe Christanis, Kathleen Neder, Steve Ginovsky, Vince Falco, Donna Belliveau, Valerie Pagano, Laurie (no last name given), Kathy Kaminski. The Public Forum concluded at 8:02 p.m.

**MATTERS OF THE SUPERVISOR:**

1. Chil E-Festival & 5K Race 6/24/23.

SUPERVISOR DUNNING: Chil-E Fest is coming up on the 24th. We have the parade, I believe, at 4:30. It's going to take the usual route down Paul Road and then up into Chili Avenue and then down

THE CHILI TOWN BOARD MEETING  
June 14, 2023

into the Community Center. Just want to remind the Town Board and any parade participants that may be listening or here, that there is a section, as you come into Community Center that is a no-candy section. We're not to be throwing candy at a certain section.  
The Parks Department, I believe, does not want to clean up suckers and gum balls and things as it comes in. Plus there will be a lot of people walking in and out of the facility so I just want to remind everybody about that.

COUNCILMAN SLATTERY: I will make sure mine won't last.

SUPERVISOR DUNNING: You will be eating it all.

COUNCILMAN SLATTERY: That's why it won't last.

SUPERVISOR DUNNING: There's also a 5K race that night and then at night we do have -- the top band this year, I believe, is a band called Trist, and -- it's something new, something different. One of their guys is actually a Gates-Chili fireman. So they're -- their lead singer is a Gates-Chili fireman. There will also be a 5K race again and the fireworks will go on at dusk.

COUNCILWOMAN SPERR: Might also want to add they're looking for more volunteers. If anybody wants to help on -- around some of the turns for the 5K race or -- or anything else, you can call the Rec Department if you want to volunteer a little bit of your time.

SUPERVISOR DUNNING: If you want to do it, walk or run, you can walk or run.

COUNCILWOMAN SPERR: Have at it.

SUPERVISOR DUNNING: Have at it. As our Town Clerk knows, the Supervisor does not partake.

COUNCILMAN SLATTERY: Can I ride a bike?

SUPERVISOR DUNNING: You will ride the bike. I will ride my motorcycle.

COUNCILMAN SLATTERY: I'll ride my bicycle.

SUPERVISOR DUNNING: You can ride your bicycle. That's fine.

**MATTERS OF THE TOWN COUNCIL:**

COUNCILMAN SLATTERY: Supervisor, if I could. First, I just want to say thank you for that acknowledgment for that bicycle ride that I did. And for the Town Board, for David (Dunning) and the Town support. It was a very emotional and inspirational venture riding from Rochester to Florida for those three charities.

But the community has been outstanding. The support has been great and I just want to say thank you for that. I was blessed.

SUPERVISOR DUNNING: Well, I'll take some of your time because I also want to say thank you for what you do. I've worked with you for a long time now and I have watched -- kind of like -- I don't want to say the Grinch -- his heart grows bigger. But you started out with a very big heart and it just keeps getting bigger. And once you retired, it seems to be your mission to make sure that you were giving back to not only this community but to others around, all around. Honor Flight, the Pirate Toy Fund, helping out a lot of underprivileged families getting something they really need.

And, of course, Missing and Exploited Children. And I know there is something very, very close to your heart there and -- and I may be wrong, Michael (Slattery), but, you know, with Brittney Drexel, I think that brought a -- for the work that work you do on behalf of all those organizations and the -- the representation you also bring to the Town and to this Town Board, I just want to thank you and --

COUNCILMAN SLATTERY: I'm blessed. Thank you. (Applause.)

COUNCILWOMAN SPERR: You're going to make us all cry, David (Dunning).

SUPERVISOR DUNNING: I'm halfway there myself, so. I got to tell you, you know, it's just amazing what you do. Things that nobody else does. A lot of other people don't do that. A lot of people talk about helping and doing things for other people.

Michael (Slattery), you stood up and you did it. And -- I'm sorry. It's insane driving from Rochester to Florida, where you end up -- was, you know -- it was incredibly dangerous, one.

COUNCILMAN SLATTERY: At some point.

SUPERVISOR DUNNING: A couple of spills. But it's -- but it's incredible and takes a lot of courage.

COUNCILMAN SLATTERY: There is plenty of great people out there that do so many things behind the scenes that we don't hear, we don't see about. I was just the vessel to bring that message.

You know, when you talk about, you know, Brittney Drexel who I coached in soccer, who grew up with my twin daughters, to see -- you know, the -- the family keeping the hope and over those 12, 13 years -- when she was finally found and visiting the memorial in Myrtle Beach they have for Brittney and speaking with the people around the memorial, I mean -- we videotaped a number of things. So if you went on [michaelscharityride.com](http://michaelscharityride.com), go to YouTube and you can see it, the interview with people. We had a gentleman just walk up to us and just started talking to us, telling us about his knowledge, experience about Brittney, because it was in the news. So many different people down there.

And then having a cousin that was abducted, murdered and -- and -- and, you know, the killer has never been --

Or -- or the Pirate Toy Fund, for the toys that they raise year round for kids in the hospital. Underprivileged families. Kids with special needs.



THE CHILI TOWN BOARD MEETING  
June 14, 2023

And then in Washington, for Honor Flight, which was the third charity, meeting with the veterans. At one point, you know -- when we went around with the veterans to the different -- the Vietnam -- World War II memorial, Abraham Lincoln's -- it just -- with these veterans, just -- at one point there was no dry eye.

There was just one veteran who was -- there was a school from Michigan there and all these students -- and he had their attention. They just -- they just stopped and they listened to him and he told them about his experience and until you see it, until you do it, um -- and the veterans, they can't take their spouses with them when they go on the trip. They have to have a guardian and the guardian can't be their spouse. And I just -- it's therapeutic for the veterans. I apologize for taking up people's...

SUPERVISOR DUNNING: Thank you for your service.

COUNCILMAN SLATTERY: I'm blessed.

SUPERVISOR DUNNING: All right. Before we all have Kleenexes, we'll move along.

The 5/17/2023 Town Board meeting minutes were approved.

**REPORTS SUBMITTED:**

Advanced Payment of Claims – May 2023  
Building Department Report – May 2023  
Conservation Board Minutes – 5/1/2023  
Dog Control Reports – May 2023  
Historic Preservation Board Minutes – 5/8/2023  
Library Board minutes – 4/25/2023  
Monthly Financial Statement – May 2023  
Recreation/Senior Center Report – May 2023  
Town Clerk Report – May 2023  
Zoning Board Minutes – 3/28/2023, 4/25/2023

---

**CORRESPONDENCE:**

1. The Town of Chili has received notification from Judith Bugajski, School Crossing Guard, that she is retiring; effective June 21, 2023.

SUPERVISOR DUNNING: Do we have a replacement?

DAVID LINDSAY: We do have one lined up.

SUPERVISOR DUNNING: We do have one lined up? Always looking for backups if anybody is interesting in being a school crossing guard. Certainly we always look for people to kind of get on our short list of possibilities. A substitute.

DAVID LINDSAY: We'll have a replacement full-time for the July meeting and we are advertising for a part-time.

SUPERVISOR DUNNING: Okay. So if anybody is interested in a part-time crossing guard, I think Judy (Bugajski)'s post was Paul Road School, I believe.

DAVID LINDSAY: Yes.

SUPERVISOR DUNNING: Anybody interested, let Mr. Lindsay know.

---

THE CHILI TOWN BOARD MEETING  
June 14, 2023

**OLD BUSINESS:**

**BE IT RESOLVED, to remove from the table resolution #152 tabled on May 17, 2023.**

**OFFERED BY: Supervisor Dunning                      SECONDED BY: Councilman DeCory**

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

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

**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).**

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

---

**NEW BUSINESS:**

**TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:**

JARED HIRT: If I may, to include within this resolution I would like to amend the current resolution as it stands. Any and all references to the "Full Environmental Assessment Form" shall be amended to reference "Short Environmental Assessment Form."

So simply replacing "Full Environmental Assessment Form" with "Short Environmental Assessment Form."

COUNCILMAN SLATTERY: So that's basically the one, two, three, four, five -- six paragraph down -- six or seven?

THE CHILI TOWN BOARD MEETING  
June 14, 2023

COUNCILWOMAN SPERR: Sixth paragraph.

JARED HIRT: Also referenced in the last paragraph, as well.

COUNCILMAN SLATTERY: Thank you.

COUNCILWOMAN SPERR: Thank you.

SUPERVISOR DUNNING: So on the resolution as amended, do I have a motion?

Councilman DeCory moved the amended resolution and Councilman Valerio seconded the motion.

COUNCILMAN SLATTERY: This is just for the lead agency for the SEQR.

SUPERVISOR DUNNING: Just for SEQR.

COUNCILMAN SLATTERY: This isn't voting on the changing of.

SUPERVISOR DUNNING: Right.

COUNCILMAN SLATTERY: Just so people are clear in the audience.

SUPERVISOR DUNNING: As amended.

**RESOLUTION #158 RE: Lead Agency and SEQR Determination for the 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 District)**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Valerio**

**WHEREAS**, the Chili Town Board ("Town Board") on the 12th of April, 2023 did declare its intent to be designated the lead agency for purposes of the State Environmental Quality Review Act ("SEQR") relative to the proposed rezoning of the Westerly portion of 4415 Buffalo Road GB (General Business) (Tax Id No. 131.20-1-57) and 4423 Buffalo Road R-1-15 (Residential Single Family 15,000 SF min. Lot) (Tax Id. No. 131.20-1-58) to RM (Residential Multiple-Family District) (the "Action"); and

**WHEREAS**, in accordance with the Zoning Code of the Town of Chili a Public Hearing was duly held by the Town Board on May 17, 2023, commencing at 7:00 P.M. at the Town Hall in the Town and discussion upon the Action having been had and all persons desiring to be heard having been duly heard; and

**WHEREAS**, the Town Board determined that it was the most appropriate agency to insure the coordination of the Action and the Town Board having provided written notifications to all involved agencies for the purposes of conducting a coordinated review and making the determination of significance thereon under SEQR; and

**WHEREAS**, the Town Clerk has submitted a memo to the Town Supervisor indicating that the Town did not receive any correspondence from any of the involved agencies indicating an objection to the Town Board acting as Lead Agency for the Action and the Town Board has otherwise given consideration to comments received from involved and interested agencies, if any; and

**WHEREAS**, the Action is deemed to be an Unlisted Action pursuant to SEQR; and

**WHEREAS**, the Town Board has reviewed Part 1 of the Short Environmental Assessment Form pursuant to the New York Environmental Conservation Law, Article 8, and the regulations promulgated pursuant thereto in 6 NYCRR Part 617 ("SEQR Regulations"); and

**WHEREAS**, the Town Board has carefully considered the criteria for determining significance as set forth in the SEQR Regulations; the EAF, the application materials, and all documents, correspondence, testimony, and other information supplied to the Town Board, as well as input obtained during the Public Hearing; and

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

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Town Board has considered the list of potential environmental effects listed in 6 NYCRR Part 617.7, has taken a hard look and engaged in a reasoned elaboration of the submitted information, has conducted its own analysis and thoroughly reviewed all supporting documentation and has concluded that the action will NOT result in a significant adverse environmental impact; and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, that the Town Board adopts Part 2 (Impact Assessment) and Part 3 (Determination of Significance) of the Short Environmental Assessment Form attached and hereby makes a "negative declaration" under SEQR, which constitutes a finding of no significant adverse

THE CHILI TOWN BOARD MEETING  
June 14, 2023

environmental impacts from the Action and directs the Town Supervisor to complete, sign and date the Short Environmental Assessment Form and the Negative Declaration Form.

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

---

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Supervisor, I have had an opportunity to review the last Town Board meeting minutes. I watched the video and I heard the public comments. I heard the Town -- some of the Town Board comments or -- Town Board comments that were made. And just my observation, some points I want to just point out. This is going to go -- there is points on both sides.

When you look at the zoning, the existing current property is -- I think you were very clear when you stated what could go there now. A Burger King was one I heard a lot. I'm more a Burger King than a McDonald's guy so I liked that. But anyways.

The gas station. And when you think about the usage and then the clientele, people coming in there, what hours, time of day. You talk about litter, debris, traffic and so forth. So that -- I can't really see one going in there, but right now that's what it is zoned for.

And then I would say in a sense, sort of shame on the Town if that's what the zoning is, I think -- if this -- if it passes for rezoning, that's one thing. But if it doesn't pass, then I think that's something we should look at to see how -- what we can do for that zoning in the future. Because when you talk about - you know, somebody brought up the Greenwood Townhomes next to Wegmans. You go back years ago when they talked about the big box store, the No Mall on Paul. It has always been the transition from commercial, getting -- slowly getting back to residential.

And now then I listen to -- Mr. Ginovsky, for example, he said -- where he is, he has been in Chili since 1960. Then I have been in this Town for a long time. Stepped a way for a little bit but came back. I went to the old Community Center as a preschool on -- right there on Buffalo Road.

And then if you remember that area, you would remember there was a -- a diner that was right on the northwest corner of Buffalo and Union Street that was almost right on top of the road. Where the current road is now, you couldn't have that, because of how close it was proximity wise. There used to be an ice cream stand that used to be on Buffalo Road. And when you -- and then how Jake's and owners -- going back now they have the store, the strip mall across street, the plaza. So you look at how that area has changed. And things are going to change over time.

You know, and then you look at -- where I live now. But you go back years ago. There was a builder that built three generations of their -- builder with three generations of my family. Earthborn Builders.

We all talk about development. We don't want to see development. Well, the house you live in, somebody had to develop it. You had to move there at some point. It wasn't there before.

So whether we like change or not, change is going to happen. But we have to be smart about it. So I just want to just keep that in people's minds. We say we don't want to see that development. Unfortunately, fortunately it happens.

People -- I hear they want a new Italiano. I could go for some gnocchis myself. But if you want a new restaurant, where are they going to go? They're going to have to knock something down, or they're going to have to build something new. So if you want it, it has got to go somewhere. You can't have your cake and eat it, too. So we have to be open-minded about that.

Neighbors complaining about traffic. Um, well, the speeders. I -- I'll be honest. I live on Attridge Road. I see the speeders. I see the litter. They -- you know, they -- where they coming from? Some of them are my neighbors and that's what we hear. The Highway Superintendent, when -- and the former liaison to the Traffic Advisory Committee, you hear it. People are complaining about speeders. You look, they're your neighbors. That's who's doing it, the majority of them. Because they're going there most -- up and down that road two, three times a day. I had the same problem. I had to go and talk to my neighbor about their kid. Unfortunately, that's -- that's something that we -- you know, we try to deal with in the Sheriff's Department, being short-staffed and under persons they are, they're doing the best that they can.

One of the residents put up -- talked -- made mention about the speed sign. Absolutely. It shuts off at a certain point. I have seen that. Because they're only going to know what they're going -- it is only going to register -- but they still know what the speeds are. I heard that. I watched it on video.

THE CHILI TOWN BOARD MEETING  
June 14, 2023

One of the neighbors complained about hunters. I put a trail cam up in my backyard and caught my neighbor and his relatives hunting on my property. So they're our neighbors that are hunting on my property. So taking my family and other families', you know, lives in jeopardy by being there.

Um, neighbors complaining about renters. I'll be the first to admit, I was a renter. I mean how many people haven't been renters? You know it's about where -- how you're brought up, your personal pride in what you do and how you maintain it. If you care about where you are and what you do, you will take care of it.

Somewhere along the line maybe they got that disconnect within the family and these renters don't care anymore or certain ones don't. But there's other ones that do. And going around campaigning, you see that -- or having friends in different areas, you see people that take care of the properties.

Um, there was a person that spoke who actually they rented their part of the property to college students. So when they talk about college students moving in, I know that they -- they rent it out to Roberts students. So, you know, we -- we have to be honest and be up-front when we talk about things.

Um, assessments. Um, yeah. If the housing market -- what it is -- I mean my assessment has gone up every year. And Supervisor and I have had this conversation. My wife has had a conversation with the Supervisor. And believe me -- and she's Italiano. I mean, me -- but -- so she -- so we've -- we've dealt with that ourselves.

Developers, you know, when -- when I listen to the developer and his engineer talk, he talked about the stipulations at his facilities. No flags. No garage doors open. No street parking. Doesn't build single-family. Well, single-family, if you did, maybe you could fit them in there, but one of the residents mentioned cost. It is not cost effective. Right. Somebody is not going to go into business, start a business and they're not going to make a profit. So they have to do something that is worthwhile.

I know with North Chili Family Restaurant, they don't -- they only serve dinner one night a week on Fridays. So, you know, it would be great if they were open more. But then if you look at the maintenance of the property and how they maintained that medical building. They maintained it. I -- ride -- go by there multiple times a day. And you just see the condition of it. You see it -- the other properties. So it is not something that they take lightly. You can see that they care.

More apartments. Area is saturated. Absolutely. When you -- when you have luxury apartments, affordable housing, subsidized housing -- one thing I didn't see on here was the two group homes. I didn't see the nursing home on here, as well. That -- that is back in that -- that area.

Before my dog passed, I would walk her -- we would do the loop. You know, go up Attridge, Linnea, down Union Square, Union, Buffalo Road and back up Attridge. We would walk the thing every day.

And so I would see it. I would talk to some of my neighbors I know. I would hear about the debris. I would hear about the garbage. I would hear about the speeders. I would hear about the sidewalk plow that didn't plow the sidewalk or the -- the people that are plowing in these areas that are blocking the sidewalk and now they can't walk through. Or kids that have to walk into the street because the sidewalk is blocked. I would hear all that.

The Church selling the property. Um, that -- the building, they have -- they built a building there that they haven't finished in 20, 25 years. And now by selling that property, now they're going to have those new townhouses or whatever they're going to be building, they took away a soccer field. They took away our green space.

So, you know, that's -- that's impacting our area.

Power outages. I live in the area. Our power doesn't go out once, twice a week. I know. The water pressure, I know. I deal with it. It's good. So -- there are some things I just want to be realistic about.

Four-wheelers and dirt bikes, I agree 100 percent. They come out of the subdivisions. They're flying down Attridge. I forget how many years ago there was a guy on a dirt bike that actually got seriously injured because he was out at night in the dark with no lights and an accident occurred. But the -- but the dirt bikes and four-wheelers.

I heard rezone -- additional tax revenue. Well, if they build something there, we're going to get the tax money. So it's not going to be additional. If they build something on the property, whether it's rezoned or not, you're still going to have that tax dollars. You know, it is just a different type of development they will do.

So -- but those are just points that I just wanted to bring up that I heard that -- that I thought were interesting and I just -- I'm sorry for taking up too much time, but I just wanted to get that out there before we move forward.

SUPERVISOR DUNNING: Thank you. And one thing I would like to make perfectly clear, because I think it was stated here now twice, the Town Board does not do assessments.

COUNCILMAN SLATTERY: Correct.

SUPERVISOR DUNNING: We do not assess your property. We do not set the value of your property. We have absolutely nothing to do with that. That is between our Assessor and the State of New York. There's a method in which it is defined by the State of New York and the Assessor has to deal

THE CHILI TOWN BOARD MEETING

June 14, 2023

with the value of your property. And we all know that values of properties have been skyrocketing. If you don't know that right now, you're missing something. You have missed -- you don't watch any television or read any news. But property values are way up.

I want to be clear, we do not assess your property.

COUNCILMAN SLATTERY: I wish I did.

SUPERVISOR DUNNING: I kind of wish you did, too, because your wife can be a little brutal some times. (Laughter)

COUNCILMAN SLATTERY: Carry-in, carry-out park; right?

COUNCILMAN VALERIO: Supervisor, can I make a couple comments? I appreciate everyone coming out to the last meeting and tonight. I appreciate all of the comments. I agree with a lot of the comments that were made tonight. A lot of great points. I have lived in this Town for 42 years.

I think some of the issues that were made could be attributed to any -- any of -- of our neighborhoods that we live in. Things like speeding, litter. Just, you know, overgrowth in certain areas.

The other day one of my neighbor's kids passed me on a double line on Chestnut Ridge Road. I'm like, "Do I go talk to his dad about it?" Those are issues that we all deal with.

You know, the apartment issue is something that I think a lot of us struggle with. But on the other hand, it -- you know, struggle with because of the issues that you all brought up.

On the other hand, I have younger siblings. I had friends looking for a first home. Maybe they're looking to upgrade to a second home. Maybe they're looking for a first home. And we talk about assessments? The market is impossible right now. People are paying, you know, 200- plus, 250-plus for homes that used to be 130, 140. Even -- you know, a couple years ago, buying a house for 200 -- 250, 300. Now that house is almost a half a million dollars. And unfortunately, a lot of people, new couples have no choice but to rent and pay 2,000 and 2,200 a month for a two-bedroom apartment.

And I agree to an extent that North Chili has done its part. And Chili's has done its part. But on the other hand, I'm -- developers wouldn't be building these apartments if there wasn't a massive demand for them. Especially on the higher end. And I have worked with plenty of young couples in their 20s and 30s that they rent. And they rent for five years, they rent for ten years because they can't find a house. They get outbid. They go into these wars with 30 people and they can't win a bid for a house.

And so it is just a really tough issue and I appreciate both sides of the argument. I think whatever happens tonight, I think it's important, if it does pass, that people go to the Planning Board and share their feelings because -- you know just because we saw a plan here -- we saw a plan. You saw a plan at the last meeting. That doesn't mean that is the final plan because it still has to go to the Planning Board.

Correct, Supervisor?

So that was the developer's plan, but that doesn't mean it's the plan that's going to be approved. So obviously, if this is approved by our Board, it goes to Planning Board and, you know, we would encourage everyone to share their feelings with -- that you shared here tonight with them.

So thank you again for coming.

SUPERVISOR DUNNING: Only thing I would like to add, if I could, is one of the fears that I have is the developer owns the property. He has the right to develop the property in some way, shape or form. As it stands right now, certainly, the -- the residential lot that's not being maintained at this point in time -- I'm not sure if they cut it down. I haven't been up there in -- if they mowed it down. That will continue to not be maintained. Which maybe you're comfortable with that, you're okay with that.

I do know that the developer has been working with some businesses that wanted to do another development here in Chili that was to bring a car wash in. And one of my fears is that these -- this group of people will be right here back in front of either us or the Planning Board. It won't be us, but -- likely because we have nothing to do with -- for General Business for a car wash. And like Councilman Slattery -- I think the unlikelihood of a McDonald's or Burger King -- I prefer Long John Silvers myself if you don't mind.

COUNCILMAN SLATTERY: I heard that last meeting.

SUPERVISOR DUNNING: But, you know, or something like that could go there. It could. Unlikely, yes. Absolutely it's not the right location. But anything of a General Business nature could go there.

You could get your Italian restaurant. That -- that could go in there very easily and -- I'm -- I fear -- and I believe that, you know, this same group of people would be in opposing that and the developer would be fully in his rights without any -- likely something like that would pass through Planning Board with the right site plan. There would be no way for anybody to stop it or for it to go way. That is one of the things I think about.

And I'm trying to think long-term. And as morbid as this may sound, but someday, all of us will be gone and there will be new people living in our neighborhood. Do they want to move into a neighborhood and will your homes be valued the same way they are or being valued today if there is a car wash or a General Dollar -- Dollar General or 7/11 or -- or Byrne Dairy or whatever going into -- into a spot right next to you? Your properties have that value.

And will future generations look at something more palatable as the transition is -- as Councilman Slattery brought up -- that is part of Planning and appropriate part of Planning to go from a

THE CHILI TOWN BOARD MEETING  
June 14, 2023

General Business or from heavy, dense -- which the plaza and to some degree the service station on the corner, which I think has changed a little bit about some of the business they do there. But to transition away from something to -- directly to residential.

I -- I -- I live in a neighborhood. If you know where I live, you know I live in a neighborhood that had that proposal to have very, very heavy commercial basically right next door to my home. And we -- we fought to keep the residential that was criticized here tonight, the property on Paul Road that is supposedly vacant. Well, it's vacant because it's not finished. It's not finished because of a lot of issues around supply chain and labor and things like that. They're trying to work very hard to get that project finished.

But, you know, we fought to keep that there as a transitional piece between the more heavily commercial of the Wegmans and the shopping over there, to the residential area, to the east of it. So, you know, I -- I believe in transitional-type zoning. I think it's in the best interest of the people, best interest of our communities. And it helps maintain the value of our properties.

So that is just something I would like to offer out there. You know, maybe -- maybe be careful what you ask for. You might just get what you don't want. But -- okay.

Anybody else? Anything?

**RESOLUTION #159 RE: 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 District)**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Valerio**

**WHEREAS**, in accordance with the Zoning Code of the Town of Chili a Public Hearing was duly held by the Town Board on May 17, 2023, commencing at 7:00 PM at the Town Hall in the Town addressing the rezoning of the Westerly portion of 4415 Buffalo Road GB (General Business) (Tax Id No. 131.20-1-57) and 4423 Buffalo Road R-1-15 (Residential Single Family 15,000 SF min. Lot) (Tax Id. No. 131.20-1-58) to RM (Residential Multiple-Family District) and a discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

**WHEREAS**, the Town Board, as Lead Agency for State Environmental Quality Review Act ("SEQR") purposes, has reviewed the environmental record with regard to this application and determined it to be an Unlisted action under Part 617 of SEQR; and

**WHEREAS**, the proposed Zoning Map Amendment has been reviewed by the Monroe County Department of Planning and Development for comment; and

**WHEREAS**, the Town Board has carefully reviewed and considered the Town's 2030 Comprehensive Plan and has determined that the rezoning from the Westerly portion of 4415 Buffalo Road GB (General Business) (Tax Id No. 131.20-1-57) and 4423 Buffalo Road R-1-15 (Residential Single Family 15,000 SF min. Lot) (Tax Id. No. 131.20-1-58) to RM (Residential Multiple-Family District), does not conflict with the stated goals of the 2030 Comprehensive Master Plan; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Official Zoning Map of the Town of Chili is amended such that the Westerly portion of 4415 Buffalo Road GB (General Business) (Tax Id No. 131.20-1-57) and 4423 Buffalo Road R-1-15 (Residential Single Family 15,000 SF min. Lot) (Tax Id. No. 131.20-1-58), shall now be placed within the RM (Residential Multiple-Family) zoning district; and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby directed to enter said rezoning into the minutes of this meeting and to give due notice of the adoption of this zoning map amendment according to law; and

**BE IT FURTHER RESOLVED**, that the Town Clerk shall direct that the Official Zoning Map of the Town of Chili be amended consistent with this resolution; and

**BE IT FURTHER RESOLVED**, that a copy of this resolution be forwarded to the property owners, their representatives, the Town Planning Board, Town Zoning Board of Appeals, Town Director of Public Works, Town Engineer, Town Attorney and Associate Town Attorney.

Councilman DeCory - Aye  
Councilman Slattery - No  
Councilwoman Sperr - No  
Councilman Valerio - Aye  
Supervisor Dunning - Aye

**RESOLUTION #160 RE: Recreation Department**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that Michael Morrissette be appointed Recreation Attendant F/T and be paid an annual salary of \$36,979.00 (PG 24) effective July 10, 2023, pending background check, expenses to be paid by voucher as incurred.

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

SUPERVISOR DUNNING: Michael (Morrissette) was here. He intended to stick around, but he -- he had an appointment at 8 o'clock so he had to leave.

COUNCILWOMAN SPERR: Oh, is that --

SUPERVISOR DUNNING: Yes. He was sitting over here. He was -- he was sitting right over here.

DAWN FORTE: Red shirt.

COUNCILMAN SLATTERY: The chair -- the third, fourth one in.

---

**RESOLUTION #161 RE: SEQR Status for Adoption of Local Law #1 of 2023 to Amend Chapter 369  
Peddling & Soliciting of the Town Code**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilman Valerio**

**WHEREAS**, that the Town Board classifies the adoption of proposed Local Law #1 of 2023 to be a Type II action under the provisions of Section 617.5 of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated thereunder; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

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

---



**RESOLUTION #162 RE: Adoption of Local Law #1 of 2023 to Amend Chapter 369 Peddling & Soliciting of the Town Code**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilman Valerio**

**WHEREAS**, a proposed Local Law #1 of the year 2023 to the Code of the Town of Chili, to Amend Chapter 369 Peddling & Soliciting was introduced to the Town Board of the Town of Chili on the 12th day of April, 2023; and

**WHEREAS**, at a meeting of the Chili Town Board held at the Town Hall in the Town of Chili, New York on the 17th day of May, 2023 a public hearing was held at 7:00 p.m. to consider the adoption of a proposed Local Law #1 of the year 2023 to the Town Code of the Town of Chili, to Amend Chapter 369 Peddling & Soliciting and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

**NOW, THEREFORE**, upon the evidence obtained by the Town Board at said public hearing and upon all other information obtained and reviewed by the Board; it is

**NOW, THEREFORE, RESOLVED**, that Local Law #1 of 2023 is hereby enacted by the Town Board of the Town of Chili.

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

---

## Chapter 369 Peddling and Soliciting

**[HISTORY: Adopted by the Town Board of the Town of Chili 12-3-2008 by L.L. No. 4-2008. Subsequent amendments noted where applicable.]**

**GENERAL REFERENCES**

Noise — See Ch. 352.

---

**§ 369-1 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**HAWKER and PEDDLER**

Except as hereinafter expressly provided, any person, either principal or agent, who, from any public street or public place or by going from house to house or place of business to place of business, on foot or on or from any vehicle, sells or barter, offers for sale or barter or carries or exposes for sale or barter any goods, wares or merchandise, books, magazines, periodicals or any other item or items of value, except newspapers.

**SOLICITOR**

THE CHILI TOWN BOARD MEETING  
June 14, 2023

Any person who goes from place to place or house to house or by telephone or stands in any public place taking or offering to take orders for goods, wares or merchandise, books, magazines, periodicals or any other item or items of value (except newspapers) or for services to be performed in the future or for making, manufacturing or repairing any article or thing whatsoever for future delivery. The term "solicitor" shall, however, also mean and include any person taking or offering to take orders for goods, wares or merchandise, books, magazines, periodicals or any other item or items of value (except newspapers) or for services to be performed in the future or for making, manufacturing or repairing any article or thing whatsoever for future delivery at the home or residence of any person who has been solicited prior thereto by telephone or has responded to any type of advertising media requiring an appointment or consultation or sales presentation in the home or place of residence of such person.

**§ 369-2 Applicability.**

A. Nothing in this chapter shall be held to apply to:

- (1) Any sales conducted pursuant to statute or by order of any court.
- (2) Any person selling personal property at wholesale to dealers in such articles.
- (3) The peddling of meats, fish, fruit and farm produce by farmers and persons who produce such commodities.
- (4) Any honorably discharged member of the armed forces or any other person who has procured a license issued by the County Clerk as provided by § 32 of the General Business Law of the State of New York, as amended or changed.
- (5) Candidates for elective or party offices or persons acting on behalf of any such candidates or for a reorganized political party, in obtaining signatures on petitions, distributing literature or otherwise promoting the candidacy of any such candidate or seeking support of any position advocated by such candidate or party.
- (6) Members or representatives of a church, synagogue or other religious organization or sect in the exercise of legitimate religious activities, provided that such activities are carried out in an orderly manner without annoyance of or harassment to the persons solicited or in any way disturbing the peace or creating a public or private nuisance.

B. Exempt organizations.

- (1) Nonprofit organizations. Nonprofit organizations and persons working for such organizations shall be exempt from the license fees. However, such organizations shall be subject to the application fee and shall register annually by the application process with the Town Clerk in the event that they plan to engage in vending, hawking, peddling or soliciting and shall indicate the type of activities to be undertaken and the time when they will be performed. At the time of application, such organizations shall also offer proof of their nonprofit status as being organized under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, that maintains a chapter or local organization within Monroe County. Proof should be submitted in the form of evidence of nonprofit filing from the department of state in the state for the organization has incorporated.
- (2) Children, veterans, fraternal organizations. A child residing in the Town and regularly attending any public school district or parochial or private school located, in whole or in part, within the County of Monroe or a member of a veterans organization or fraternal organization, provided that such organization has and maintains a chapter, post, lodge, camp or other group within Monroe County, are exempt from the provisions of this chapter, provided that any person coming within the provisions of this exemption shall only peddle, vend or solicit in connection with an authorized activity of the organization of which he or she is a member or of the school which he or she attends.

C. Interstate commerce. This chapter also shall not apply so as unlawfully to interfere with interstate commerce, and, to that end, all persons claiming to be engaged in interstate commerce or claiming any of the exemptions hereinabove set forth shall apply to the

THE CHILI TOWN BOARD MEETING  
June 14, 2023

Town Clerk for a certificate of compliance, using the form of application described in § 369-5; the applicant shall also submit to the Town Clerk satisfactory evidence that he or she is engaged in interstate commerce.

- D. Certificate of compliance for exemptions. When the applicant shall have established to the satisfaction of the Town Clerk that he or she is engaged in interstate commerce or is entitled to one or more of the above exemptions, the Town Clerk shall issue to him or her a certificate of compliance stating, among other things, that such person has complied with the requirements of this section and has satisfactorily established that he or she is engaged in interstate commerce. Such certificate shall be carried with the person exercising it and shall be exhibited upon demand. All certificates issued pursuant to this chapter shall be issued for a period not to exceed one year, nor a shorter term than one month, but in any event shall expire on the 31<sup>st</sup> day of December following the date of issuance. The securing of any such certificate by fraud or misrepresentation by any person not in fact engaged in interstate commerce or entitled to one or more exemptions shall constitute a violation of this chapter.

**§ 369-3 License required.**

It shall be unlawful for any person within the corporate limits of the Town to act as a hawker, peddler or solicitor as herein defined or assist the same without first having obtained and paid for and having in force and effect a license therefore and having received a solicitor's permit.

**§ 369-4 Application fee.**

A nonrefundable application fee must be submitted to the Town Clerk prior to receiving an application for a license. Said fee shall be established from time to time by resolution of the Town Board. All funds are to be remitted by cash, check, credit card or money order.

**§ 369-5 License application.**

- A. Any person desiring to procure a license as herein provided is required to furnish the appropriate application fee and file a written application upon a form furnished by the Town Clerk. Such application as well as a signed authorization for the Town to conduct a background check, shall be given to the Town Clerk at least thirty (30) days in advance of the first day of solicitation and shall contain the following information:
- (1) The quantity of vehicles, copy of the vehicle registration and insurance, plate number, model, make and year of each vehicle to be used by the applicant in carrying on the business for which the license is desired.
  - (2) The kind of goods, wares and merchandise he or she desires to sell or the kind of service he or she desires to perform.
  - (3) The method of distribution.
  - (4) The name, permanent business address, business telephone number and age of the applicant.
  - (5) Whether or not the applicant and each solicitor associated therewith has been convicted of a misdemeanor or felony involving force, violence or moral turpitude, or conviction of any other crime, other than a traffic offense, and, if so, give the date of conviction, the nature of the offense, the penalty imposed and the name and address of the court.
  - (6) Completed and signed authorization to allow the Town to conduct a complete background check through a third (3<sup>rd</sup>) party of each person to be soliciting within the Town. Said background check shall be made at the applicant's expense.
  - (7) The name and address of the person, firm or corporation he or she represents.
  - (8) The length of time the applicant desires the license; such a license shall not be issued for a longer term than one year nor a shorter term than one month but in any event shall expire on the 31<sup>st</sup> day of December following the date of issuance.
  - (9) A written, detailed description of the specified proposed plan of operations to be used by the applicant.
  - (10) Any violation(s) of this chapter or any comparable laws, ordinances, statutes, rules,

orders or regulations of any other municipality or of the State Door-to-Door Sales Protection Act, Personal Property Law § 425 et seq., within the past 10 years, by the applicant or any individuals employed by or on behalf of the applicant as a hawker, solicitor or peddler.

- (11) Such other information as may be required by the Town Clerk to determine the veracity or to clarify any of the prior statements required in this subsection.
- B. If applicable, such application shall be accompanied by a certificate from the Sealer of Weights and Measures certifying that all weighing and measuring devices to be used by the applicant have been examined and approved.
- C. If applicable, such application shall be accompanied by proof of a professional license held if said license must be used in conjunction with the solicitation.

**§ 369-6 Bond required.**

An application for a license as a solicitor who demands, accepts or receives payment or deposit of money in advance of final delivery shall also be accompanied by a cash deposit or surety company bond or other bond secured by sufficient collateral in such amount as is determined by resolution of the Town Board, said bond to be approved by the Town Attorney as to form and surety conditioned for making a final delivery of the goods, wares or merchandise ordered or services to be performed in accordance with the terms of such order or, failing therein, that the advance payment on such order be refunded. Any person aggrieved by the action of any licensed solicitor shall have the right by action on the bond for the recovery of money or damages, or both. Such bond shall remain in full force and effect, and, in case of a cash deposit, such deposit shall be retained by the Town for a period of 90 days after the expiration of any such license, unless sooner released by the Town Board.

**§ 369-7 Issuance of license.**

- A. Application. Except for those organizations which are exempt as outlined in this chapter, the Town Clerk shall issue a license pursuant to a valid application for peddling and soliciting.
- B. Use. A license shall not be assignable. Any holder of such license who permits it to be used by any other person and any person who uses such license granted to any other person shall each be guilty of a violation of this chapter.
- C. Contents. All licenses shall be filed in the Town Clerk's office and shall state clearly the kind of vehicle, if any, to be used and the kind of goods, wares or merchandise to be sold or service to be rendered, the dates of issuance and expiration of the license, the fee paid and the name and address of the licensee.
- D. Display. Every licensee, while exercising his or her license, shall carry the license with him or her and shall exhibit the same upon demand or, if engaged in telephonic solicitation, shall, upon each completed call, immediately state his or her name and address and number of his or her license.

**§ 369-8 Term of license.**

All licenses issued pursuant to this chapter shall be issued for a period not to exceed one year, nor a shorter term than one month but, in any event, shall expire on the 31<sup>st</sup> day of December following the date of issuance.

**§ 369-9 License fees.**

The Commissioner of Public Works/Superintendent of Highways, Town Clerk, Director of Planning, head of the Building Department, or similar officer or designee, and Director of Parks and Recreation and such other Town officials and employees as may be authorized by the Town Board shall, in the performance of their respective duties under all Town ordinances and local laws which establish various fee schedules or charges, from time to time establish such fee schedules or charges, subject to Town Board approval. Licenses fees shall be paid to the Town Clerk for the license herein required.

**§ 369-10 Employees of applicant.**

THE CHILI TOWN BOARD MEETING  
June 14, 2023

- A. Number limited. Any person who aids or assists a solicitor in selling and delivering must obtain a separate license.
- B. All persons who have obtained a solicitor's license shall at all times carry and on demand display the license issued by the Town Clerk, which shall contain the following information: the name of the employee, the name of the employer, the license number and the date of expiration of the license.
- C. Statement required. Each such employee shall file with the Town Clerk a statement, including his or her name, age, permanent and city address, telephone number and the name, address, and telephone number of his or her employer.
- D. Refusal; revocation of license. The provisions of § 369-16 and §369-17 respecting the revocation of a license shall apply.

**§ 369-11 Written statement of orders required.**

A written statement of all orders taken by licensed solicitors who demand, accept or receive payment or deposit of money in advance of final delivery, setting forth the terms thereof, the amount paid in advance, the name of the solicitor and the name of the person or firm he or she represents, shall be given to the purchaser at the time the money is paid to or deposited with the solicitor.

**§ 369-12 Regulations.**

- A. Unlawful sales. A hawker, peddler or solicitor shall not falsely or fraudulently misrepresent the quantity, character or quality of any article offered for sale or offer for sale any unwholesome, tainted or diseased provisions or merchandise.
- B. Sanitary conditions. A hawker, peddler or solicitor shall keep the vehicles and receptacles used by him or her in a clean and sanitary condition and the food stuffs and edibles offered for sale well covered and protected from dirt, dust and insects.
- C. Noises. A hawker, peddler or solicitor shall not blow a horn, ring a bell or use any other noisy device so as to create a public nuisance. Seasonal Ice Cream Trucks who traditionally ring a bell while traversing neighborhoods are excluded from this provision, providing that no noise is generated from any amplified source, including but not limited to vehicle stereo, cell phone, bluetooth device etc.
- D. Obstructions. A hawker, peddler or solicitor shall not create or maintain any booth or stand or place any barrels, boxes, crates or other obstructions upon any street, sidewalk, right-of-way, or public place for the purpose of selling or exposing for sale any goods, wares or merchandise.
- E. Measuring devices. A hawker, peddler or solicitor shall not use any weighing or measuring device unless the same shall have been examined and sealed by the County Sealer of Weights and Measures.
- F. Hours. A licensee may not sell or vend within 250 feet of any school property between the hours of 8:00 a.m. and 4:00 p.m. on school days, nor enter upon private property for the purpose of peddling or soliciting before the hour of 10:00 a.m. or after 1/2 hour before sunset of any day, except upon the prior invitation of the householder or occupant.
- G. Appealing to sympathies. No peddler or solicitor shall, in order to effectuate or assist in any sale or solicitation, represent that he or she is engaged in any contest or in any way attempt to induce a sale or solicitation by appealing to the sympathies of the person so solicited.
- H. Permitted place. A licensee may perform his/her respective acts and occupations at any place in the Town of Chili except on property owned or leased by the Town of Chili or any district thereof or on property owned by any school district, or otherwise prohibited by the owner of private property.
- I. Use of public streets. None of the foregoing licensees shall use any of the public streets or government property within the Town of Chili as standing places for their vehicles, handcarts or pushcarts for the conduct of business.

**§ 369-13 Permit exception for Town sponsored special events.**

No peddler, solicitor or vendor of any type that receives Town of Chili approval shall be required to obtain a permit for the duration of any town sponsored special event, from start to finish, for any portion of any parade routes or grounds or surrounding area.

**§ 369-14 Solicitation of funds; registration.**

- A. Application for registration; contents. An application to solicit funds for any cause whatever as provided for in this section shall be addressed to the Town Clerk at least thirty (30) days in advance of the first day of solicitation, and such application shall contain the following information:
- (1) The name and purpose of the cause for which permission is sought.
  - (2) The names, addresses and telephone numbers of the officers and directors of the organization.
  - (3) The time for which permission is sought and localities and places of solicitation.
  - (4) Whether or not any commissions, fees, wages or emoluments are to be expended in connection with such solicitation.
  - (5) Such other information as the Town Clerk shall require to determine the veracity or to clarify any of the prior statements required in this subsection.
- B. Statement of finances. It shall be the duty of the Town Clerk, before granting permission to solicit funds or donations as provided for in this section, to compel the applicant to file with him or her a signed statement of all moneys collected in the calendar year or the fiscal year of such organization, society, association or corporation previous to the application, the expenditures connected therewith, together with the names and addresses of all persons receiving wages, commissions or emoluments and the amounts so expended.
- C. Registration. Registration as required by this section shall be done, in writing, at the office of the Town Clerk during regular business hours and shall include the following information:
- (1) The name, address and telephone number of the organization, society, association, religious institution or corporation desiring to solicit in the Town.
  - (2) The names, addresses and telephone numbers of the officers and directors of the organization, society, association, church or corporation.
  - (3) The names, addresses, telephone numbers and ages of all agents or representatives who will solicit in the Town.
  - (4) Whether or not the agents or representatives or any of them have ever been convicted of a misdemeanor or felony involving force, violence or moral turpitude, or conviction of any other crime, other than a traffic offense and, if so, give the date of conviction, the nature of the offense, the penalty imposed and the name and address of the court.
  - (5) Any violation(s) of this chapter or any comparable laws, ordinances, statutes, rules, orders or regulations of any other municipality or of the State Door-to-Door Sales Protection Act, Personal Property Law § 425 et seq., within the past 10 years, by the applicant or any individuals employed by or on behalf of the applicant as a solicitor or peddler.
  - (6) Completed and signed authorization to allow for a complete police background check of each person to be soliciting within the Town. Said background check shall be made at the applicant's expense.
  - (7) The number, year, trade name identification or registration number, state of registration and owner of every vehicle to be used.

- (8) The name and purpose of the cause for which soliciting is to be done.
- (9) The time, localities and places of solicitation.
- (10) Whether or not any commissions, fees, wages or emoluments are to be expended in connection with such solicitation and to whom.
- (11) A statement of finances as hereinafter provided in Subdivision B.
- (12) Such other reasonable information as the Town Clerk shall require to determine the veracity or to clarify any of the information required by the subsection.

**§ 369-15 Refusal of license.**

A license may be refused if the applicant shall have been convicted of a misdemeanor or felony, which, in the judgment of the Town Clerk, renders the applicant unfit or undesirable to carry on the trade or occupation of peddler or solicitor. The Town Clerk may also refuse a license to any person who, in his or her judgment, shall be an undesirable person or incapable of properly conducting such occupation in accordance with Town Law § 137. In addition, the Town Clerk, upon consultation with the Monroe County Sheriff Department and Town Attorney, where applicable, may suspend any such license upon his or her determination and finding the regulations and rules herein have been violated. Any applicant who has been refused a license by the Town Clerk may appeal to the Town Board therefor, and the same may be granted or refused by the Town Board.

**§ 369-16 Suspension of license or permit.**

A. Licenses or permits issued under provisions of this chapter may be suspended immediately by the Town Clerk upon consultation with the Monroe County Sheriff Department and Town Attorney. If the licensee has one or more employees, agents or contractors, the suspension hereunder shall apply to all. Suspension may occur for the following reasons:

- (1) Fraud, misrepresentation or any false statement contained in the application for license.
- (2) Fraud, misrepresentation or false statement made in the course of carrying on the business as peddler, huckster, vendor or solicitor.
- (3) Any violation of this chapter.
- (4) Conviction of any misdemeanor or felony involving force, violence or moral turpitude, or conviction of any other crime.
- (5) Conducting the licensed business in an unlawful manner or in such a manner as to constitute a breach of the peace or to constitute a menace to the health, safety or general welfare of the public.
- (6) Any breach of stipulations or conditions specified by the Town Board, if any, or any deviation from the terms and agreements upon which a special permit has been granted, as provided herein.

B. Notice of such suspension and the reason therefore, in writing, shall be served by the Town Clerk upon the person named in the application or by mailing the same to the address given in the application, and a copy of such notice shall be filed with the Town Clerk.

C. The Town Clerk may refer a license suspended under this section for a hearing before the Town Board for the revocation of such license consistent with the provisions of § 369-17 herein.

**§ 369-17 Revocation of License and Appeals.**

A. Any person aggrieved by the action of the Town Clerk in the denial of an application for a license or suspension of a license, as provided in this chapter, shall have the right to appeal to the Town Board.

THE CHILI TOWN BOARD MEETING  
June 14, 2023

- B. Such appeal shall be taken by filing, within 14 days after notice of the action complained of has been mailed to such person's last known address, as shown on the application, a written statement setting forth fully the grounds for the appeal.
- C. The Town Board shall set a time and place for a hearing on such appeal, and notice of such hearing shall be mailed to the applicant at his or her last known address at least five days prior to the date set for the hearing.
- D. The granting, refusal, revocation or suspension of a license or permit by the Town Board shall be subject to review pursuant to Article 78 of the Civil Practice Law and Rules of the State of New York. Any such Article 78 proceeding must be commenced within 30 days of the mailing of notice of the action sought to be reviewed.

**§ 369-18 Eligibility for new license restricted.**

Any person denied a license or permit or whose license or permit has been suspended or revoked in accordance with §§ 369-16 and 369-17 of this chapter shall be ineligible to apply for a new license or permit for a period of six months from the date of such denial, revocation or suspension, unless the applicant shows that the conditions upon which such action was based have been remedied or removed.

**§ 369-19 Penalties for offenses.**

- A. Any offense against any provision of this chapter shall be punishable by a fine of not more than \$250
- B. Each day an offense continues shall be deemed a separate offense.
- C. In addition to the above penalties, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction any offense against any provision of this chapter.

---

**RESOLUTION #163 RE: Agreement with IntelliCorp**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Slattery**

**WHEREAS**, the Town of Chili modified Chapter 369 – Peddling and Soliciting to add a background check requirement for applicants; and **WHEREAS**, the vendor the Town of Chili currently uses for employee background checks declined providing this service for these applicants; and

**WHEREAS**, Town Clerk Ignatowski researched other companies that Monroe County Towns used for this purpose and found IntelliCorp to be the least expensive option that met the Town’s needs; and

**NOW, THEREFORE, BE IT RESOLVED**, that Town Clerk Ignatowski is hereby authorized to enter into an agreement, subject to Town Attorney approval, with IntelliCorp, for Peddler and Solicitor background checks, expenses to be paid by voucher as incurred from Account 1410.4 Town Clerk.

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

---

**RESOLUTION #164 RE: Peddling and Soliciting Fee Schedule and Application Form**

**OFFERED BY: Councilman Valerio**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, in reviewing other Town fee schedules for peddlers and solicitors it was determined that the Town of Chili’s fees are lower than most other towns in Monroe County; and



THE CHILI TOWN BOARD MEETING  
June 14, 2023

**WHEREAS**, the Town of Chili wishes to have a fee schedule that is fair to applicants, but also better reflects the business activity that is gained by them conducting their door-to-door sales; and

**WHEREAS**, modifications made to Chapter 369 – Peddlers and Solicitors of the code of the Town of Chili necessitated that the application form be updated to reflect the modifications; and

**NOW, THEREFORE, BE IT RESOLVED**, that the updated application form be adopted; and

**BE IT FURTHER RESOLVED**, the following fee schedule be adopted:

Business Application Fee - \$250 annually  
Peddler License Fee - \$30/month  
Peddler Background Check Fee - \$20 annually

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

---

**RESOLUTION #165 RE: SEQR Status for Adoption of Local Law #2 of 2023 to Amend Sections of the Town Code to remove Imprisonment from Penalties for Offenses**

**OFFERED BY:** Councilman Slattery

**SECONDED BY:** Councilman Valerio

**WHEREAS**, that the Town Board classifies the adoption of proposed Local Law #2 of 2023 to be a Type II action under the provisions of Section 617.5 of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated thereunder; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

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

---

**RESOLUTION #166 RE: Adoption of Local Law #2 of 2023 to Amend Sections of The Town Code to Remove Imprisonment from Penalties for Offenses**

**OFFERED BY:** Councilman Slattery

**SECONDED BY:** Councilman Valerio

**WHEREAS**, a proposed Local Law #2 of the year 2023 to the Code of the Town of Chili, to Amend Sections of the Town Code to remove Imprisonment from Penalties for Offenses was introduced to the Town Board of the Town of Chili on the 12th day of April, 2023; and

**WHEREAS**, at a meeting of the Chili Town Board held at the Town Hall in the Town of Chili, New York on the 17th day of May, 2023 a public hearing was held at 7:00 p.m. to consider the adoption of a proposed Local Law #2 of the year 2023 to the Town Code of the Town of Chili, to “Amend Sections of the Town Code to remove Imprisonment from Penalties for Offenses” and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

**NOW, THEREFORE**, upon the evidence obtained by the Town Board at said public hearing and upon all other information obtained and reviewed by the Board; it is

THE CHILI TOWN BOARD MEETING  
June 14, 2023

**NOW, THEREFORE, RESOLVED**, that Local Law #2 of 2023 is hereby enacted by the Town Board of the Town of Chili.

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

---

**LOCAL LAW FILING**

County

City

Town of-----Chili-----

Village

Local Law No.-----2-----of the year 2023

**A Local Law to amend the following Sections of the Code of the Town of Chili:**

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

THE CHILI TOWN BOARD MEETING  
June 14, 2023

S. Chapter 500, §500-92 (A) Penalties for offenses  
(Adopted by the Town Board of the Town of Chili on 4-14-2021 by L.L. No. 1-2021)

**Be it enacted by-----Town Board-----of the Town of Chili**

Section 1 – NEW MATTERS Chapters  
1,164,171,176,218,234,263,277,329,332,338,352,362,369,439,444,460,472,& 500 of the Code of the  
Town of Chili are hereby amended as follows:

**§ 1-10 Penalties for tampering with Code.**

Any person who, without authorization from the Town Clerk, changes or amends, by additions or deletions, any part or portion of the Code of the Town of Chili or who alters or tampers with such Code in any manner whatsoever which will cause the legislation of the Town of Chili to be misrepresented thereby or who violates any other provision of this local law shall be guilty of an offense and shall, upon conviction thereof, be subject to a fine of not more than \$250.

**§ 164-6 Penalties for offenses.**

A violation of this article shall constitute an offense, and the person violating this article shall be subject to a fine not to exceed \$250.

**§ 171-20 Penalties for offenses. A.**

Any offense against any provision of this chapter shall be punishable by a fine of not more than \$250.

**§ 176-20 Penalties for offenses**

A violation of this article shall constitute a violation which shall be punishable by a fine not exceeding \$250.

**§ 218-3 Penalties for offenses.**

**A.**

Any person, persons, firm, association, partnership or corporation violating the provisions of this chapter shall be guilty of a violation under the Town Code of the Town of Chili and shall, upon conviction thereof, be subject to a fine of not more than \$100.

**B.**

Any person, persons, firm, association, partnership or corporation violating the provisions of this chapter for a second time within a period of two years shall be subject, upon conviction thereof, to a fine of not more than \$250.

**§ 234-6 Penalties for offenses.**

**A.**

Any person, partnership, corporation or association violating the provisions of this chapter shall be subject to a fine of not more than \$250.

**§ 263-11 Penalties for offenses.**

Any person, firm or corporation who violates any provision of this chapter shall be subject to a fine of not more than \$250.

**§ 277-8 Penalties for offenses.**

No structure in an area of special flood hazard shall hereafter be constructed, located, extended, converted or altered and no land shall be excavated or filled without full compliance with the terms of this chapter and any other applicable regulations. Any infraction of the provisions of this chapter by failure to comply with any of its requirements, including infractions of conditions and safeguards established in connection with conditions of the permit, shall constitute a violation. Any person who violates this chapter or fails to comply with any of its requirements shall, upon conviction thereof, be fined no more than \$250. Each day of noncompliance shall be considered a separate offense. Nothing herein contained shall prevent the Town of Chili from taking such other lawful action as necessary to prevent or remedy an infraction. Any structure found not compliant with the requirements of this chapter for which the developer and/or owner

THE CHILI TOWN BOARD MEETING  
June 14, 2023

has not applied for and received an approved variance under §§ 277-19 and 277-20 will be declared noncompliant and notification sent to the Federal Emergency Management Agency.

**§ 329-7 Enforcement; penalties for offenses.**

**E.**

A continued violation shall result in the issuance of an appearance ticket and is subject to the following penalties: a fine of \$500.

**§ 332-6 Penalties for offenses.**

Any person committing an offense against any provision of this chapter shall, upon conviction, be guilty of a violation punishable by a fine not exceeding \$250. The continuation of an offense against the provisions of this chapter shall constitute, for each day the offense is continued, a separate and distinct offense hereunder.

**§ 338-5 Penalties for offenses.**

Any person who shall violate any provision of this chapter shall be guilty of an offense punishable by a fine not exceeding \$250. Each day's continued violation or each such individual viewer shall constitute a separate violation for the purpose of conferring jurisdiction, etc.

**§ 352-7 Penalties for offenses.**

Any person who violates any provision of this chapter shall be guilty of a violation and shall be subject to a fine of not less than \$50 and not to exceed \$250 for the first offense and shall be subject to a fine of not less than \$250 for subsequent offenses. The Town of Chili may also seek injunctive relief to prevent the continued violation of this chapter.

**§ 362-7 Penalties for offenses.**

**A.**

Violation of any provisions or regulations of this chapter shall be punishable, upon conviction, by a fine of not more than \$250.

**§ 369-20 Penalties for offenses. A.**

Any offense against any provision of this chapter shall be punishable by a fine of not more than \$250.

**§ 439-36 Penalties for offenses.**

A violation of this chapter is hereby declared to be an offense, punishable by a fine not exceeding \$350 for conviction of a first offense; for conviction of a second offense both of which were committed within a period of five years, punishable by a fine not less than \$350 nor more than \$700 and, upon conviction for a third or subsequent offense all of which were committed within a period of five years, punishable by a fine not less than \$700 nor more than \$1,000. Each week's continued violation shall constitute a separate additional violation.

**§ 444-13 Penalties for offenses.**

A person who shall violate any provisions of this chapter or shall fail to comply therewith or shall violate or fail to comply with any order or regulation made hereunder shall be punishable, upon conviction, by a fine not to exceed \$250.

**§ 460-5 Penalties for offenses.**

**A.**

A violation of this chapter or any provision or part thereof by any person, firm or corporation is hereby declared to be an offense, punishable by a fine of not to exceed \$250.

**§ 472-11 Penalties for offenses.**

Any person, firm or corporation violating or permitting the violation of any provision of this chapter shall be guilty of a violation and shall be subject to a fine of not less than \$25 nor more than \$250. In the case of a second or subsequent violation, the court may order confiscation of said motor-driven vehicle in lieu

THE CHILI TOWN BOARD MEETING  
June 14, 2023

of any fine. Any motor-driven vehicle which is confiscated pursuant to this section will be sold at public auction according to the appropriate procedures and laws affecting public auctions by municipalities.

**§ 500-92 Penalties for offenses**

**A.**

Any person, firm, company or corporation owning, controlling or managing any building, structure or premises therein or whereon there shall be placed or there exists any condition in violation of any of the provisions of this chapter or any conditions imposed by the Planning Board or the Zoning Board of Appeals; and any person, firm, company or corporation who shall assist, aid, request or command the commission of any violation of this chapter or any conditions imposed by the Planning Board or the Zoning Board of Appeals; or who shall build or develop, contrary to the plans or specifications submitted by him and by him certified as complying with this chapter; and any person, firm, company or corporation who shall omit, neglect or refuse to do any act required by this chapter shall be punishable by a fine not exceeding \$350 for conviction of a first offense; for conviction of a second offense, both of which were committed within a period of five years, shall be punishable by a fine not less than \$500 nor more than \$1,000. Each week's continued violation shall constitute a separate additional violation. Nothing in this section shall prevent the Town from concurrently commencing an action in the name of the Town of Chili in any other court of competent jurisdiction to obtain compliance by way of order or injunction and to impose a civil penalty in the amount of \$2,500.

Section 2 – This local Law shall take effect upon filing with the Secretary of State.

---

**RESOLUTION #167 RE: ARPA/ SLFRF Funds – World’s Largest Snowball Fight**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, on Resolution 79, from January 11, 2023, the Town Board authorized the use of SLFRF Funds to be used towards expenses for the World’s Largest Snowball Fight, and this event has since been canceled; and

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

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

---

**RESOLUTION #168 RE: 2023 Budget Amendments**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** to amend revenue account A2001 (Recreation Program Fees) by an increase of \$10,000.00; and to amend expense account A7020.4 (Rec Admin – Office Supplies) by an increase of \$10,000.00.

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

THE CHILI TOWN BOARD MEETING  
June 14, 2023

**RESOLUTION #169 RE: Chili Fire Department Active List**

**OFFERED BY: Councilman Valerio**

**SECONDED BY: Councilwoman Sperr**

**BE IT RESOLVED** that the following individual(s) be added to the Chili Fire Department active list effective June 12, 2023:

Celia Bachmann, Micaela Foster

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

---

**RESOLUTION #170 RE: Establish Letter of Credit for Kings Crossing Self Storage**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilman DeCory**

**BE IT RESOLVED** that per the recommendation of the Commissioner of Public Works/Superintendent of Highways and Town Engineer that a letter of credit be established for Kings Crossing Self Storage in the amount of \$101,131.12.

Items within the letter of credit include, but are not limited to storm sewers, post construction storm water control features and erosion and sediment control.

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

---

**RESOLUTION #171 RE: Transfer to Equipment Reserves**

**OFFERED BY: Councilman Valerio**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, an auction of equipment was held in May 2023 and the Town received proceeds of \$39,710.00 for the sale of that equipment; and

**WHEREAS**, it has been advantageous to transfer the auction proceeds to equipment reserves for future use; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend revenue budget A2665 (Sales of Equipment) by an increase of \$39,710.00 and amend expense budget A9901.9 (Interfund Transfers) by an increase of \$39,710.00; and

**BE IT FURTHER RESOLVED**, to transfer \$39,710.00 to the General Fleet Reserve.

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

---

**TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:**

COUNCILWOMAN SPERR: Are we keeping both?  
DAVID LINDSAY: Probably selling the other one.  
SUPERVISOR DUNNING: Want to buy it?  
COUNCILWOMAN SPERR: No.

THE CHILI TOWN BOARD MEETING  
June 14, 2023

**RESOLUTION #172 RE: ARPA/ SLFRF Funds – Senior Bus.**

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

**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 purchasing a new bus for the senior center; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$105,000.00; and to amend expense account A6772.2 (Programs for the Aging - Equipment) by an increase of \$105,000.00; and

**BE IT FURTHER RESOLVED**, to authorize the purchase of one (1) Ford E350 Senior Lift Bus off NYS OGS Contract PC69530 SB from Coach & Equipment Bus Sales for a cost not to exceed \$105,000.00 to be paid from A6772.2 (Programs for the Aging - Equipment).

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

---

**RESOLUTION #173 RE: Letter of Credit Release #1 for Greenwood Townhomes Phase 3**

**OFFERED BY: Councilman Slattery                      SECONDED BY: Councilman Valerio**

**WHEREAS**, that per recommendation of the Commissioner of Public Works and Town Engineer that \$135,057.00 be released from the letter of credit #1107971801 with Canandaigua National Bank for Greenwood Phase 3, leaving a balance of \$49,609.00; subject to engineering fees and street light bills to the Town.

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

THE CHILI TOWN BOARD MEETING  
June 14, 2023

**RESOLUTION #174 RE: Contract Amendment – Archer Road Municipal Park Project**

**OFFERED BY: Councilman Valerio**

**SECONDED BY: Councilman DeCory**

**WHEREAS**, the Town received proposals for Architectural & Engineering on January 5, 2021 by the Town Clerk; and

**WHEREAS**, on February 12, 2020, by Resolution #128 the town accepted a SAM Grant from the Dormitory Authority State of New York (DASNY) in the amount of \$500,000.00 to be used towards the creation of a town park on Archer Road; and **WHEREAS**, on February 10, 2021, by resolution #106 the Town Board awarded Architectural & Engineering to Barton & Loguidice in an amount not to exceed of \$133,200.00 to be paid from H7110.2000.0061 (Rec Facility - Archer Rd Park); and

**WHEREAS**, the scope of the final site plan has changed; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend the Architectural & Engineering contract with Barton & Loguidice in accordance with Amendment number 2 in the amount not to exceed \$80,000.00 to be paid from H7110.2000.0061 (Rec Facility - Archer Rd Park); and

**BE IT FURTHER RESOLVED**, that Supervisor Dunning be authorized to sign the necessary documents to approve the additional scope of work.

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

---

**RESOLUTION #175 RE: Set a Public Hearing for Local Law # \_\_\_\_ of 2023 on a Six-Month Moratorium for Smoke and Vape Shops in the Town of Chili.**

**OFFERED BY: Councilman Slattery**

**SECONDED BY: Councilwoman Sperr**

**WHEREAS**, Local Law # \_\_\_\_ of the year 2023 has been introduced; and

**WHEREAS**, the Town Board, prior to its final deliberations regarding the merits of said local law, wishes to offer the members of the public an opportunity to be heard; and

**NOW, THEREFORE, BE IT RESOLVED**, that a Public Hearing be set for June 29, 2023 at 7:00 p.m. at the Town of Chili, Main Meeting Room, 3333 Chili Avenue, Rochester, New York 14624 to consider the adoption of Local Law No. \_\_ thereby adopting and approving the aforementioned amendments; and

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

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



THE CHILI TOWN BOARD MEETING  
June 14, 2023

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I would like to say you might notice this is an Eagle Scout project. We have an Eagle Scout out there hauling the bricks, power-washing them, getting them cleaned up. They did break one brick today. I noticed that. I don't know what you will do about that. Not with a name on it, though. So -- any questions or comments?

**RESOLUTION #176 RE: Use of the Brick Walk Fund**

**OFFERED BY:** Councilman Slattery                      **SECONDED BY:** Councilman DeCory

**WHEREAS**, the Brick Walk Fund was established by Town Board resolution #463 on November 18, 1998, authorizing the sales of bricks to defray the cost of constructing a brick walkway at the Town Hall building with additional proceeds to be utilized to defray the costs of landscaping of the Town Hall including, but not limited to, the purchase of trees, bushes, plants and flowers and related supplies; and

**WHEREAS**, the Town is in the process of having the brick walk and surrounding area revitalized to update and restore it and wishes to use the funds from the Brick Walk Fund towards this project; and

**NOW, THEREFORE, BE IT RESOLVED**, to utilize funds from the Brick Walk Fund, towards the revitalization of the existing brick walk and surrounding area, in an amount not to exceed \$3,200.00 to be paid from CM1620.4000.0087 (Buildings – Brick Walk Fund).

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

---

**RESOLUTION #177 RE: June 7, 2023 Abstract**

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

**WHEREAS**, January 2, 2023 Resolution #1 authorized vouchers to be paid June 7, 2023, by all Council signing a waiver form; and **WHEREAS**, Council did authorize by a majority vote vouchers 43518, 43582-43589, 43597, 43600-43612, 43620-43621, 43626-43629, 43631-43691, 43693-43713 totaling \$840,222.71 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	\$	410,692.73
Highway Facility Reserve		4,860.46
Admin Facility Reserve		37,884.00
Highway Fund		352,775.30
Library Fund		3,711.53
Drainage District		5,444.63
Street Lighting Districts		<u>14,854.06</u>
Total Abstract	\$	840,222.71

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

---

Supervisor Dunning announced there would be a Special Town Board meeting held June 29, 2023 at 7:00 PM in the Town of, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.

THE CHILI TOWN BOARD MEETING  
June 14, 2023

The next regularly scheduled meeting of the Chili Town Board will be on July 12, 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 8:38 p.m.

A handwritten signature in black ink, reading "Virginia Lynetrossk". The signature is written in a cursive style with a large initial "V" and a long, sweeping tail on the "k".