

CHILI TOWN BOARD  
July 12, 2023

A regular meeting of the Chili Town Board was held on July 12, 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.

**SUPERVISOR DUNNING:** I would also like to briefly acknowledge -- we'll get to this in a minute -- but acknowledge two very, very special guests we have here with us this evening. Our Senator Pam Helming is here with us this evening and also Denny Wright is here with us tonight.

Denny (Wright), thank you for joining us.

Senator, thank you.

And County Legislator Tracy DiFlorio.

I would also like to remind everybody we're streaming this live on YouTube. So to our residents who did get an opportunity to see it this evening, they will get an opportunity to see some of it later.

**PRESENTATIONS/ANNOUNCEMENTS:**

1. Senator Pam Helming

**SUPERVISOR DUNNING:** With that, I would like to ask Senator Helming if you would like to come up and join us. Would you like us to join you or --

**SENATOR HELMING:** Whatever works for you.

**SUPERVISOR DUNNING:** Would you like us to join you?

**SENATOR HELMING:** Yes.

**SUPERVISOR DUNNING:** Senator (Helming), why don't you come on over where everybody -- we'll do this. We'll make it easy.

**SENATOR HELMING:** Thank you very much. Thank you, Supervisor.

A couple months ago -- it was probably back around in May -- the Supervisor and I were talking about Rochester Police Officer Denny Wright. He had just received the Officer of the Year Award from the Governor, the Medal of Valor, and we were talking about, you know, how tremendous his actions were and how we admired him under this intense pressure and this horrible situation he found himself in, how he was so focused on protecting other people. That was his sole thought through the whole ordeal he went through.

We were talking about it and I know I felt especially bad because I couldn't be there for the ceremony. I sent someone from my office, but I was actually at the State Capital. We were in the middle of -- I believe it was budget negotiations. We were getting close to the end and I couldn't leave to be here for the ceremony honoring Denny (Wright).

When I was talking to the Supervisor, he suggested, "Denny (Wright) is a Chili resident. Why don't we honor him right here in his own hometown?"

I thought that is a fantastic idea. So here we are this evening. Again, I want to thank the Supervisor for this opportunity. I am really honored to have the privilege of presenting this evening the New York State Commendation Award to Rochester Police Officer Denny Wright.

Denny (Wright)'s actions, as you all know, that evening October 4th, 2019, when he was responding to a home in the City of Rochester -- like I said, it demonstrated his level of dedication, commitment and consideration of others. He put everyone else before himself. (Applause.)

It was pretty horrific what was going on, but despite what was going on, being underneath the suspect who was repeatedly attacking and hurting Denny (Wright) -- your focus, as I said, was protecting the others in the house and keeping them safe. It was your courage and exceptional valor in the face of personal danger that can only be described as remarkable and inspirational.

This Commendation Award recognizes exceptional recipients who have made a lasting contribution to their community by performing outstanding civic or charitable work.

Denny (Wright), you are more than worthy of a special recognition. Your response and

your bravery that night is an example for all of the men and women who wear the uniform for our residents and for our community. We are forever grateful to you and so appreciative that, you know, you spent decades in the service protecting your community.

We're thankful for that, but what you have done since your attack -- just being out there, being public, speaking about this -- and you know what? I admire personally that you have not made this political. You have spoken your truth based on what you experienced and you are helping to -- I like to think -- drive change. Change that is needed within our communities, within our State Government.

So if it's okay with you to come forward.

Denny (Wright), this is a New York State Senate 2023 Commendation Award. Like I said, it is truly an honor and privilege to present this to you on behalf of all of the people in the 54th Senate District.

And I also have something that I will place in your hand.

OFFICER WRIGHT: Thank you so much. (Applause.)

SUPERVISOR DUNNING: Denny (Wright), I remind you that the Town Clerk does keep time, so she will warn you when you're --

OFFICER WRIGHT: She better talk loud. I will not see the little cards they hold up for everybody else.

I would like to thank the Senator. I would like to thank David Dunning and the rest of the Town Board for taking the time to -- to get together and to present me with this award.

Oftentimes I hear people talk about me and I sit there and think, "Boy, I would like to meet that guy."

But unfortunately, in order to receive these types of awards, typically that means something rather serious or deadly has happened.

And I don't want people to forget the people who saved my life that day. The two civilians, the officers who were on scene and the miracle workers at the hospital. Those people, all of them deserve the same recognition or more in my opinion because they -- they gave me my life. All of them would tell you, "I only did my job. I didn't do anything special, Denny (Wright)."

Well, I believe if one of them didn't do the one thing that they did, that I wouldn't be here today. And it's extremely important -- law enforcement is -- I think is the best job in the world. I would go back to work tomorrow. I would go to the same house. I would try to get a better result.

It was -- the Senator mentioned that -- that I was ensuring the safety of people in that house. Well, any house that I ever walked into, I was responsible for everybody inside. And it was important -- I'm very proud of the fact that nobody else in that house was hurt. You know, I have been on the street for 23 years, been in a few fights and no one ever caught me off guard and hit me in the face. That was the first time I remember laying on my back thinking "I'm embarrassed this guy just hit me."

Then I saw the knife and then I was blind, right? And he said he was going to take my weapon. Well, I wasn't going to allow that. And I -- and I -- I kept both hands on my weapon which allowed him to beat me pretty hard, which is the reason for my right eye not working and the damage to the optical nerve. The left eye is quite obvious.

But I disabled my weapon that day. Something when I was in Academy I thought was the dumbest training I ever heard of. Who would disable their weapon? You know, being a brand new cop, younger, "Oh, I would just take them out." Well, until you can't. I couldn't see.

So I -- I disabled my weapon. I was still nervous about the one round that I hopefully hit toward the ceiling, which I confirmed later I did. But I was still worried that that might have hit somebody else in the house who didn't deserve any of that. Somehow I ended up on top of that man and I was able to fight through because of my training, the training I had in the military. I worked for the Department of Corrections for a couple of years. I would like to tell everybody I was in prison for two years, got paroled and became a cop -- and then my training with RPD. I wouldn't be here without all that.

I wouldn't be here without the people and the love and support that I have received since this happened from -- from all angles: Community, strangers, corporations, my friends, other departments. It's unbelievable. And it continues to this day. A lot of people thought maybe well after a little bit, all of this would go away. But it hasn't. It hasn't. And the big struggle was trying to find purpose. I'm doing the best I can.

I -- I speak -- whoever wants to listen to me run my mouth, I'll go talk. And depending on the audience, you know -- I talk at the Academy and I give a lot more gruesome things about the details because it's important. There are things to be learned from it. And I feel that I have a responsibility to do it because I am still here. I have been given the opportunity -- when people I have worked with -- Daryl Pierson, Tony Mazurkiewicz didn't have a chance to come back or to try to do something. So it's my responsibility to show honor to them, to get out and to talk, to remind people of what police work is, remind people of the risks that everybody who wears a uniform takes and we all -- we do it because we love it.

Regardless of the noise and -- and the loud terrible things that might be said in particular recently about people in law enforcement.

Every single one of us would do anything we can to protect any single person, regardless of how we might be getting treated. And that's what we do every day.

Doesn't make the news, you know, when I spend an hour talking to grandma who had a chair stolen from her backyard or something, right? Those things don't -- the good things we do don't make the news. It's always when something terrible happens. A bad thing maybe. That's

on the news.

But so much of what law enforcement does today is -- is not acknowledged and so I'm gratefully appreciative of this and I accept -- I accept it all. These other awards I may have received, I except for -- them for everybody, for my department, other law enforcement. I just happen to be the one standing here. It could have been any of them. And so I will accept these things for everyone who does this job. All first responders. All first responders that do this. And so -- so thank you. Thank you very much. I'm grateful. (Applause.)

SENATOR HELMING: It is my understanding there are other members of law enforcement here. We would like to have you come forward, please.

COUNCILMAN SLATTERY: One of them -- I'm sorry -- Ron (Evangelista). You guys come on up.

Jim Bentley was Denny's Sergeant when he worked over on Clinton Section, as well.

SENATOR HELMING: Thank you all for your service. Thank you very much.

A photograph was taken. (Applause.)

SUPERVISOR DUNNING: Before everyone does leave, I would just like to recognize and thank all of those officers that are here today, active and retired, for the service that you provided all of us. Thank you so much. (Applause.)

2. Presentation to Judith Bugajski.

SUPERVISOR DUNNING: So now we all have to get up and go back down.

Mr. Lindsay, are you joining us?

DAVID LINDSAY: Yes.

SUPERVISOR DUNNING: This is yours. I'll have you do this one. You're the boss now.

DAVID LINDSAY: Judith (Bugajski), I just wanted -- this is a small token of our appreciation on behalf of the Town and certainly myself for the many years -- 31 years of service that you have given to the Town. And acting as a crossing guard.

I think anyone can attest when they drive by -- and I have driven by a number of times on, you know, cold, windy, blowing, winter -- winter mornings, afternoons in the rain, you were out there consistently providing a safe crossing for the children of the community and I appreciate that. And on behalf of the Town, we appreciate it. Thank you very much.

SUPERVISOR DUNNING: Judy (Bugajski), it first started out -- just so some people understand this, it started out that the crossing guards kind of fell under the Supervisor's office, but I was clever enough to be able to delegate that off to Mr. Lindsay because it was more of a highway and traffic kind of thing for -- for him. And a lot of the other towns did that, so I said, "Why don't we do that, too?"

So thank you, Dave Lindsay.

But, Judy (Bugajski), I, too -- I drive by there a lot and I always knew it was you because when it was raining, um, I mean it was yellow, head to toe. You couldn't tell who was underneath that coat. But I want to thank you. A lot of service to the Town and you have crossed a lot of kids over your time and I'm sure them -- well, in 31 years some of those kids are off in other places working and do other things.

COUNCILWOMAN SPERR: They have their kids.

SUPERVISOR DUNNING: They might be working for us, too.

But thank you for the service that you provide to the Town. It was a great service and -- and certainly we appreciate having you. Always been a joy having you -- and joining you for your breakfast once in a while when we did the (indiscernible) breakfast.

DAVID LINDSAY: If you ever want to sub again, let me know.

SUPERVISOR DUNNING: He's always accepting applications. But enjoy.

COUNCILWOMAN SPERR: Enjoy retirement, Judy (Bugajski).

A photograph was taken. (Applause.)

DAVID LINDSAY: You get to sleep in.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. The following speaker addressed the Town Board on various subjects: Dorothy Borgus. The Public Forum concluded at 7:25 p.m.

SUPERVISOR DUNNING: We will address Resolution 189 as it comes up.

As far as the audio, I do have a proposal that Chris Levey has been working on to upgrade the audio system here and I have had discussions with the Town Board about that and we'll have further discussions about how that would move forward. We do recognize the fact that our audio system is perhaps antiquated and may need some upgrade, so we -- Chris Levey is very good at this. We're working with him and we'll have those discussions as we move forward. So that is not going left unaddressed.

**MATTERS OF THE SUPERVISOR:**

SUPERVISOR DUNNING: We did have Chil-E Fest. Chil-E Fest, I thought, went off fairly well. The weather stayed away. We did not get any rain. It rained all of the way around us and everywhere else but Chili that day. It was seemingly very well attended. We had a nice parade and the weather, again, fairly decent. The new band in there, they -- they turned out a pretty good crowd. It was nice to have some new entertainment there for -- for a change. Things went pretty well.

Other than that, I don't have much of anything else, so move on to matters of the Council.

**MATTERS OF THE TOWN COUNCIL:**

COUNCILMAN VALERIO: I just like to add that the Chil-E Fest -- thank you to all of the people that helped plan it, helped organize, that there were there for hours that day. But also thank you to the people of Chili. Because I was there at, you knowing, 9 o'clock, 10 o'clock when the fireworks went off and the band was playing. There was hundreds, maybe thousands of people on the lawn. It was peaceful, calm. Just a great atmosphere.

That doesn't happen in every Town. Our citizens, it was just a really nice event. I was proud to be a part of this Town.

The 6/14/2023 and 6/29/2023 Town Board meeting minutes were approved.

**REPORTS SUBMITTED:**

Advanced Payment of Claims – June 2023  
Building Department Report – June 2023  
Conservation Board Minutes – 6/5/2023  
Dog Control Reports – June 2023  
Library Board minutes – 5/23/2023  
Planning Board Minutes – 5/9/2023, 6/13/2023  
Town Clerk Report – June 2023

**CORRESPONDENCE:**

1. The Town of Chili has received notification from Brandon Ferris, Highway Department that he has resigned; effective June 25, 2023.
2. The Town of Chili has received notification from Carter Damiano, Highway Department that he is resigning; effective July 6, 2023.

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**RESOLUTION #180 RE: Dog Control Boarding Fee**

**OFFERED BY: Councilman DeCory**

**SECONDED BY: Councilman Slattery**

**WHEREAS**, the Town of Chili is required under Article 7, Section 114 of the NYS Agriculture & Markets Law to maintain a pound or shelter for seized dogs; and

**WHEREAS**, under Article 7, Section 118.4 the municipality may set the impoundment fee in any amount by local law or ordinance; and

**WHEREAS**, the impoundment fee, herein also known as “boarding fee” had previously been set via Town Board resolution #339 on December 3, 2008; and

**WHEREAS**, due to the increasing cost of shelter maintenance and standards set forth by New York State Agriculture & Markets, it necessary to align the boarding fee to meet current costs; and

**NOW, THEREFORE, BE IT RESOLVED**, that Supervisor Dunning hereby authorizes to set the new boarding fee for the Office of Dog Control at the rate of \$30.00/per day to be paid by the dog owner.

Councilman DeCory - Aye  
Councilman Slattery - Aye

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

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**RESOLUTION #181 RE: Emergency Evacuation Plan**

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

**BE IT RESOLVED** that the Emergency Evacuation Plan originally adopted by Resolution #104 on February 12, 2014 was reposted with revisions on June 14, 2023, without any comments or objections and shall remain in effect dated July 12, 2023 by Resolution #181.

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

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**RESOLUTION #182 RE: SEQR Determination for Incentive Zoning of 296 Fisher Road**

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

**WHEREAS**, the Taouk Development ("Owner") has proposed to construct and operate a "flex space" consisting of three buildings divided into individual lease spaces with parking & outdoor storage of vehicles and trailers; pursuant to an incentive zoning plan (the "Project") on property located at 296 Fisher Road (Tax ID: 134.19-1-8); (the "Property"); and

**WHEREAS**, the Planning Board, at its regularly scheduled meeting on May 9, 2023 reviewed the Project and recommended that the Town Board approve the proposed incentive zoning plan; and

**WHEREAS**, the Chili Town Board ("Town Board") on the 17th of May, 2023 made a determination that said Action is classified as an Unlisted Action and did declare itself lead agency for purposes of the State Environmental Quality Review Act ("SEQR") relative to the proposed incentive zoning of property located at 296 Fisher Road (Tax ID: 134.19-1-8) (the "Action"); and

**WHEREAS**, representatives of Taouk Development met with the Town Board at its regularly scheduled meeting on June 14, 2023 to discuss the Project at which time the Town Board conducted a public hearing on said action, solicited and received public comment and has given consideration to the comments provided at said public hearing; and

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

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

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

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

**WHEREAS**, the Town Board has reviewed and does hereby accept Part 2 of the Short Environmental Assessment Form, dated July 12, 2023 and prepared by the Town Supervisor; and

**WHEREAS**, the Town Board finds that the Short Environmental Assessment Form, Parts 1 and 2, provides a reasoned elaboration of the impacts likely to result from the Town Board's action to approve the proposed Action; and

**WHEREAS**, the Town Board has given consideration to the criteria for determining significance as set forth in the SEQR Regulations and the information contained in Parts 1 and 2 of the Short Environmental Assessment Form; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board determines the action to be an Unlisted Action for the purposes of SEQR and based on the information and analysis above

and the supporting documentation referenced above that the proposed action WILL NOT result in any significant adverse environmental impacts and directs the Town Supervisor to sign and date Part 3 of the Short Environmental Assessment form.

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

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**RESOLUTION #183 RE: 296 Fisher Road - Incentive Zoning**

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

**WHEREAS**, on June 14, 2023, Land Tech, representing Taouk Development, appeared before the Town Board for consideration of Incentive Zoning for 296 Fisher Road in the Town of Chili; and

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

**WHEREAS**, the applicant appeared before the Planning Board on May 9, 2023, where the application for incentive zoning received a unanimous vote in favor of the incentive; and

**WHEREAS**, on June 14, 2023, a public hearing was held by the Town Board and after due consideration of the comments at the public hearing and Planning Boards recommendation; and

**BE IT RESOLVED**, pursuant to §500-107 of the Chili Town Code, the Town Board hereby approves the incentive zoning for 296 Fisher Road as follows; and

The applicant will provide an incentive payment in the amount of \$40,000.00 in exchange for the Incentive Zoning request, funds to be used towards the construction of a new dog kennel for the Town, and the payment will be remitted to the Town before the building permit is issued.

**BE IT FURTHER RESOLVED**, to amend revenue account A1989 (Other Economic Assistance & Opportunity) by an increase of \$40,000.00, and to amend the General Fund appropriated fund balance for the 2023 adjusted budget by a reduction of \$40,000.00.

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

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**RESOLUTION #184 RE: Chili Fire Department Active List**

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

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

Nicholas Estratti, Alex Martin, David Rich, Jacob Wine

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

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**RESOLUTION #185 RE: Chili Fire Department Remove from Active List**

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

**BE IT RESOLVED** that the following individual(s) be removed from the Chili Fire Department active list effective June 23, 2023:

Abigail Sauer

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

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**RESOLUTION #186 RE: Chili Fire Department Exempt List**

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

**BE IT RESOLVED** that the following individual(s) be added to the Chili Fire Department exempt list from the CFD active list effective June 23, 2023:

Mike Saporito

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

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**RESOLUTION #187 RE: School Traffic Guard – Full Time**

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

**BE IT RESOLVED** that Kimberly Farmer shall be appointed to the School Traffic Guard Full Time position and shall be paid at the rate of \$60.09 per day, expenses to be paid by voucher as incurred.

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

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**RESOLUTION #188 RE: Substitute School Traffic Guard Part Time**

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

**BE IT RESOLVED** that Raymond Ward, Jr. Shall be appointed to the Substitute School Traffic Guard part Time position and shall be paid at the rate of \$60.09 per day, expenses to be paid by voucher as incurred.

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

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

**SUPERVISOR DUNNING:** The purchase offer was made. The offer in the amount of \$270,000. The property has been up for sale for -- for almost two years now.

The -- we have gotten several offers quite frankly on the property. Some of them more, but they wanted it rezoned for apartments and which I refused -- I refused to entertain that. So -- that we weren't going to rezone the property. I wasn't going to bring that to the Town Board for rezoning.

So those buyers all went away. This was the best offer that we received for something that will not be apartments. I don't know specifically what will go there, but part of the property is zoned General Business now and part of the property is zoned Residential -- or Multi-residential. So -- but the part of the agreement -- I think the -- the buyer is going to want the whole parcel General Business and not Residential. So it is something we'll have to address as we move along, but that's pretty much the details of it. I'm not at liberty to discuss at this point who the buyer is. I -- I don't -- I don't recall seeing any confidentiality, but I will err on caution and not disclose that quite yet.

**COUNCILMAN SLATTERY:** Supervisor, I also think the fact -- the condition of the building, the asbestos that is inside it and the number of factors, um, that contributed to possibly the length of the sale and not taking place sooner, as well -- and demolition.

SUPERVISOR DUNNING: Good point, Councilman.

Because we did do some due diligence on our own -- and as I share with most of you, we had -- I had the Building Department ask someone -- a demolition company to take a look and see approximately what would this cost to take the building down, to demo the building, because it really -- it has to come down. The roof is shot. There is asbestos. The furnace doesn't really -- boiler, I should say, doesn't really work anymore. If you go in there now, part of the ceilings are falling in and floors are starting to buckle. It's not in great shape. The cost of the asbestos abatement was estimated to be between 200 and \$300,000 for asbestos abatement and then the cost of demolition thereafter was estimated about the same, between 2 and \$300,000. So anywhere between 4 and \$600,000 just to take the building down. We gave that consideration as we thought about the offer.

So this will put it back on the tax rolls. So -- and quite frankly, we didn't pay too much for that building when we got it, so we're doing okay. It doesn't really owe us anything at this point. Let's get it back on the tax rolls, productive and get something -- that property back as a good use for the Town.

COUNCILMAN SLATTERY: Supervisor, in regards to the property, the playground set, will that be relocated? Do we know that or is that still being worked on?

SUPERVISOR DUNNING: I don't -- I don't have that answer. I wouldn't know how to answer that right now. I -- I can't imagine it will stay there, but as you know, we have been working on a -- David Lindsay has been working diligently with a company to look at all of our playgrounds in the Town to see where we could beef some things up.

Maybe one of the priorities we would put is over on Hubbard -- Hubbard Park because that is very close proximity to that area and maybe we -- we'll look at that. But that is a decision we'll have to make at some point when -- when we get the full report on the playground and where we're at.

COUNCILMAN SLATTERY: Thank you.

**RESOLUTION #189 RE: Purchase and Sale Agreement for the sale of 4400 Buffalo Road, North Chili, New York 14514 (SBL: 131.20-1-20)**

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

**WHEREAS**, the Town previously listed for sale the property located at, and commonly as, 4400 Buffalo Road, North Chili, NY 14514 (SBL: 131.20-1-20) ("Property"); and

**WHEREAS**, the Town has been presented with a certain proposed Purchase and Sale Agreement ("PSA") from a Buyer that desires to purchase the Property; and

**WHEREAS**, the Town desires to sell the Property upon terms that are satisfactory and acceptable to the Town; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board authorizes the Supervisor to negotiate and execute the PSA for the sale of the Property: (A) upon such terms acceptable to the Supervisor, (b) in such form approved by counsel for the Town, and (b) subject to full and complete satisfaction and compliance with all applicable local and state laws regarding the sale of municipal owned real property, including, but not limited to New York State Town Law § 64 and any requirement and/or condition for a permissive referendum.

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

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**RESOLUTION #190 RE: SEQR – Declaration of Intent for Lead Agency Status to consider the Incentive Zoning Proposal of 50 Airpark Drive**

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

**WHEREAS**, Cook Properties has requested an Incentive Zoning approval for a property located at 50 Airpark Drive (Tax ID: 135.03-1-16.122); and

**WHEREAS**, the Town Board of the Town of Chili (hereinafter referred to as Town Board) has reviewed the Part 1 of the Short Environmental Assessment Form dated July 11, 2023, prepared by Thornton Engineering for Cook Properties for the incentive zoning proposal of 50 Airpark Drive (Tax ID: 135.03-1-16.122) (hereinafter referred to as Action); and

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

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board does hereby designate itself

as the lead agency for the Action; and

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

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

**RESOLUTION #191 RE: Set Public Hearing consider the Incentive Zoning Proposal for 50 Airpark Drive**

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

**WHEREAS**, Cook Properties has requested an Incentive Zoning approval for property located at 50 Airpark Drive in the Town of Chili; and

**WHEREAS**, the Planning Board of the Town of Chili did, at its July 11, 2023 meeting considered said proposal and subsequently provided written comments to the Town Board on the incentive proposal and its amenities as it relates to all aspects of the Project; and

**BE IT RESOLVED**, that the Town Board will conduct a Public Hearing on said Incentive Zoning Proposal on August 16, 2023 at 7:00 p.m. at the Town Hall Main Meeting Room and that the Town Clerk is hereby directed to publish notice of same.

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

**RESOLUTION #192 RE: June 21, 2023 Abstract**

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

**WHEREAS**, January 2, 2023 Resolution #1 authorized vouchers to be paid June 21, 2023, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 43714-43718, 43723-43724, 43727-43746, 43748, 43751-43772, 43776-43824, 43826, 43828-43835 totaling \$176,821.70 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	\$ 96,862.89
Townwide Drainage Reserve	5,403.50
Highway Fund	69,476.40
Library Fund	3,598.76
Drainage District	1,235.85
Fire Protection Districts	244.30
Total Abstract	\$ 176,821.70

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

**RESOLUTION #193 RE: July 5, 2023 Abstract**

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

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

**WHEREAS**, Council did authorize by a majority vote vouchers 43827, 43836-43837, 43849,

43853-43854, 43860-43873, 43880-43889, 43891, 43893-43896, 43899-43931, 43935-43959, 43961-43962 totaling \$219,427.82 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	\$ 57,298.71
Highway Facility Reserve	854.41
Townwide Drainage Reserve	11,754.00
Highway Fund	53,054.26
Library Fund	2,710.93
H61 Archer Rd Park	77,801.75
Drainage District	1,464.46
Street Lighting Districts	<u>14,489.30</u>
Total Abstract	\$ 219,427.82

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

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The next meeting of the Chili Town Board will be on August 16, 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 7:32 p.m.

*Virginia Ignatowski, Town Clerk*