

Chili Town Board Meeting

August 16, 2023

Agenda

A. Call to Order

B. Invocation

Pledge of Allegiance

C. Roll Call

Councilman **Mark L. DeCory**

Councilwoman **Mary C. Sperr**

Councilman **Michael S. Slattery**

Councilman **James V. Valerio**

Supervisor **David J. Dunning**

D. Officials/Advisors:

Town Clerk **Virginia Ignatowski**

Deputy Town Supervisor **Councilman Slattery**

Counsel for the Town **Jared Hirt**

Commissioner of Public Works/Superintendent

Of Highways **David P. Lindsay, P.E.**

Director of Finance **Daniel Knapp**

Insurance Counselor **Scott Bonnewell**

Supervisor's Office **Dawn Forte**

Stenographer **Sandy Hewlett**

FIRE SAFETY ANNOUNCEMENT: In the event of an emergency requiring the evacuation of the building, please use the indicated exits to my right, left and rear of the room to exit the building.

CELLULAR PHONES: Please turn off all cell phones or put them on silent mode.

E. Presentations/announcements:

F. Public Hearings: **Anyone wishing to be heard at a public hearing, please step up to the podium.**

1. Cook Properties/Thornton Engineering – Incentive Zoning for 50 Airpark Drive.

G. Public Forum

The Public Forum is intended to provide an opportunity for people to address the Town Board on any topic. Those wishing to be heard may raise their hand once the public forum starts, The Supervisor will call upon those who desire to address the Town Board until all have been heard. For those who will be addressing the Town Board through our Live Streaming, may enter their comments on the live feed. Those comments will be read by the Supervisor once all who are physically present have been heard. During the Public Forum period, each person will be allowed to comment for up to five minutes. Comments should be addressed directly to the Supervisor. Be respectful and courteous keeping comments as concise as possible. Questions pertaining to Agenda items will be answered when the Resolution is Moved and Seconded, Questions on topics not pertaining to the Agenda will be addressed at the conclusion of the Public Forum time, if at all possible. Virginia L. Ignatowski, Town Clerk, or her designee will keep the time and notify you when you have 30 seconds remaining so that you can conclude your comments within the allotted time.

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H. *Matters of the Supervisor* –

New Matters:

Pending Matters:

Matters of the Town Council –

New Matters:

Pending Matters:

I. Approval of Minutes – 7/12/2023

Reports Submitted –

Advanced Payment of Claims – July 2023

Building Department Report – July 2023

Conservation Board Minutes – 7/10/2023

Dog Control Reports – July 2023

Monthly Financial Statement – June 2023

Planning Board Minutes – 7/11/2023

Recreation/Senior Center Report – June 2023, July 2023

Town Clerk Report – July 2023

Zoning Board Minutes – 6/27/2023

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from Kathryn Rogers, Secretary to Planning/Zoning Board; that she is resigning effective August 11, 2023.
2. Virginia Ignatowski, Town Clerk has received notification from Michael Morrissette, Recreation Attendant; that he is resigning effective August 3, 2023.

K. Pending Business

L. Old Business

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M. New Business

RESOLUTION #194 RE: Bike Ride for National Center for Missing & Exploited Children

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

WHEREAS, the National Center for Missing & Exploited Children previously scheduled a bike ride to take place on June 9, 2023; and due to unforeseen circumstances with the Canadian wild fires, the Center was forced to postpone their event due to poor air quality in Monroe County; and

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

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

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the National Center for Missing & Exploited Children to have their bike ride go through the Town of Chili on Friday, September 15, 2023 provided they notify the Monroe County Sheriff's Office at Zone C, the Chili Fire Department and CHS Ambulance prior to the race; and

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

RESOLUTION #195 RE: Dept. Public Works/Highway Department

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

BE IT RESOLVED, that Adam Cummings, shall be appointed Deputy Commissioner of Public Works, and shall be paid an annual salary of \$86,000.00 effective start date, which is anticipated to be August 30, 2023, expenses to be paid by voucher as incurred.

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RESOLUTION #196 RE: ARPA/ SLFRF Funds – Access Control

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

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 upgrading access control throughout existing Town facilities, including the Town Hall and the highway facility; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$13,000.00; and to amend expense account A1620.4 (Buildings – Town Hall Operations) by an increase of \$13,000.00; and

BE IT FURHER RESOLVED, to authorize the Supervisor to sign any paperwork necessary for Tekpro to provide all labor and parts necessary for the access control upgrade for a cost not to exceed \$13,000.00, to be paid from A1620.4 (Buildings – Town Hall Operations).

RESOLUTION #197 RE: Letter of Credit Release #2 for Mayflower Estates

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$72,651.71 be released from the letter of credit #836545180 with the Northwest Bank for Mayflower Estates, leaving a balance of \$0.00; subject to engineering fees and street light bills to the Town.

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RESOLUTION #198 RE: ARPA/ SLFRF Funds – Fitness Equipment

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

WHEREAS, in 2021, the Federal Government passed the American Rescue Plan Act (ARPA), which included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, to deliver funds to state, local and tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency; and

WHEREAS, the SLFRF program provides governments the resources needed to fight the pandemic and support families and businesses struggling with its public health and economic impacts, maintain vital public services, and build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity; and

WHEREAS, the Town of Chili has received funding from the SLFRF program and wishes to use proceeds from that program for the benefit of the community by investing in outdoor fitness equipment to be installed at Union Station Park; and

BE IT FURTHER RESOLVED, to amend revenue account A4089 (Federal Aid – Other) by an increase of \$105,000.00; and to amend expense account A7110.2 (Parks - Equipment) by an increase of \$105,000.00.

RESOLUTION #199 RE: Set Public Hearing for September 13, 2023 at 7:00 p.m. to consider rezoning a portion of 4400 Buffalo Road from RM (Residential Multiple-Family District) to GB (General Business).

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

WHEREAS, the Town Board is in the process of selling 4400 Buffalo Road and wishes to rezone a portion of 4400 Buffalo Road from RM (Residential Multiple-Family District) to (GB) (General Business), which coincides with the Town of Chili 2030 Comprehensive Master Plan; and

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

BE IT FURTHER RESOLVED, that a Public Hearing be set for September 13, 2023 at 7:00 p.m. to consider the rezoning application for the property located at 4400 Buffalo Road from the portion of RM (Residential Multiple-Family District) to GB (General Business) (Tax #131.20-1-20).

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RESOLUTION #200 RE: Letter of Credit Release for Byrne Dairy – Final

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer, \$107,648.00 be released from the letter of credit SB2525070001 with M&T Bank, leaving a balance of \$0.00; subject to engineering fees and street light bills to the Town.

RESOLUTION #201 RE: Letter of Credit Release #7 for Rose Hill, Phase 3

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

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$75,918.60 be released from the letter of credit #520006988 with Tompkins Community Bank for Rose Hill, Phase 3, leaving a balance of \$234,348.28; subject to engineering fees and street light bills to the Town.

RESOLUTION #202 RE: Road Dedication of Rose Hill Section 1

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

BE IT RESOLVED, that portions of Gage Gardens, Etherington Crescent and Flinton Run, as constructed under Section 1 of the Rose Hill subdivision, be accepted for road dedication; and

BE IT FURTHER RESOLVED, that, subject to the approval by the Engineer for the Town and the Counsel for the Town, that the necessary documents be executed and filed.

RESOLUTION #203 RE: Building Department

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

BE IT RESOLVED, that Gaetana DiRose, be appointed Secretary to Planning and Zoning Board; be paid an annual salary of \$45,690.00 (PG 27) effective August 17, 2023, expenses to be paid by voucher as incurred.

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RESOLUTION #204 RE: Award Bid – Cold Storage Materials Bid

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

WHEREAS, bids for the purchase of materials for the future cold storage renovation & addition project at 177 Archer Road were received by the Town Clerk on August 11, 2023 as follows:

<u>Bid Item</u>	<u>Bidder</u>	<u>Base Bid</u>
Framing	84 Lumber	\$9,577.00
Trusses	84 Lumber	\$12,003.00
Metal Panels	84 Lumber	\$32,929.29
Doors	84 Lumber	\$900.00
Copulas	84 Lumber	\$7,775.00
Overhead Doors	Overhead Door Inc.	\$17,956.00
Overhead Doors	Tracey Door	\$18,210.00

WHEREAS, the bids were reviewed by the Commissioner of Public Works and Town Engineer and a determination has been made that the Bids from 84 Lumber and Overhead Doors Inc. best meet the intent of the Contract Documents, Specifications, requirements of the town and are acceptable and it is recommended that they be accepted; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Commissioner of Public Works, to accept Bids from 84 Lumber for Framing, Trusses, Metal Panels, Doors & Copulas for a total cost to not exceed \$67,000.00 and to accept the Bid from Overhead Doors Inc. for Overhead Doors for a cost not to exceed \$19,000.00 with both to be paid from a/c #H7110.2000.0061 (Rec Facility – Archer Rd Park).

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RESOLUTION #205 RE: Award Bid – Fitness Court Concrete Slab

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

WHEREAS, bids for the construction of a Concrete Slab for a Fitness Court were received by the Town Clerk on July 26, 2023 as follows:

<u>Bidder</u>	<u>Base Bid</u>
Pooler Enterprises	\$171,450.00
Ironwood Heavy Highway	\$139,126.00
Rochester Earth	\$123,500.00

WHEREAS, the bids and qualification we reviewed by the Commissioner of Public Works and a determination has been made that the Bid from Rochester Earth best meets the intent of the Contract Documents, Specifications and requirements of the town and is acceptable and therefore is recommended for acceptance; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Commissioner of Public Works, to accept the Bid from Rochester Earth for a cost to not exceed \$135,000.00 to be paid from account A7110.2 (Parks - Equipment).

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RESOLUTION #206 RE: In Memory of Jordon I. Brown

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

WHEREAS, we the Town Board of the Town of Chili find it befitting to extend our deepest sympathy to the Brown family during the passing of Jordon I. Brown, who on August 11, 2023 passed away; and

WHEREAS, Jordon I. Brown served from 1/17/2007 – 3/19/2008 as a Member of the Architectural Advisory Ad Hoc Committee, served from 2/26/2007 – 12/24/2008 as a Member of the Zoning Board of Appeals, served from 11/5/2008 – 11/2/2011 as the Chair for the 2030 Comprehensive Plan Committee, served from 1/1/2009 – 12/31/2011 as the Deputy Town Supervisor, and served from 1/1/2012 – 12/31/2019 as Town Councilman; and

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

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RESOLUTION #207 RE: Funding for Town Hall Soffit and Fascia Replacement

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

WHEREAS, the Town of Chili is in the process of replacing the roof of the Town Hall and wishes to replace the soffits and fascia as part of that project; and

WHEREAS, as of July 31, 2023, the Town had \$1,052,297.00 in the General Fund Assigned Unappropriated Fund Balance for use towards a series of ongoing and upcoming projects; and

WHEREAS, in an effort to reduce the fiscal burden on the current and future budgets, the Town wishes to use funds from the General Fund Assigned Unappropriated Fund Balance for the costs related to replacement of the soffits and fascia at the Town Hall facility; and

NOW, THEREFORE, BE IT RESOLVED, to amend expense budget A1620.2 (Buildings - Equipment) by an increase of \$320,000.00; and

BE IT FURTHER RESOLVED, to expend an amount not to exceed \$320,000.00 from the General Fund Assigned Unappropriated Fund Balance on the Town Hall soffits and fascia; and

BE IT FURTHER RESOLVED, subject to review of the Commissioner of Public Works, to authorize Elmer W. Davis Inc. to replace the soffits and fascia on the Town Hall facility and complete any other associated work under The Interlocal Purchasing System (TIPS), Contract #21060301, for a cost not to exceed \$320,000.00, to be paid from A1620.2 (Buildings – Equipment); and

BE IT FURTHER RESOLVED, the Supervisor of the Town of Chili, is hereby authorized to execute, on behalf of the Town of Chili, all necessary documents in furtherance of this resolution subject to review and approval of the Counsel for the Town.

RESOLUTION #208 RE: Chili Fire Department Active List

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

BE IT RESOLVED, that the following individual(s) be added to the Chili Fire Department active list effective August 14, 2023:

Paul Dentino, Tyler Davis

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RESOLUTION #209 RE: July 19, 2023 Abstract

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

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

WHEREAS, Council did authorize by a majority vote vouchers 43825, 43933-43934, 43966-44004, 44007-44052, 44059-44065 totaling \$743,679.97 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED, to note for the record the above listed vouchers were paid from the following funds:

General Fund	\$ 369,997.35
Townwide Drainage Reserve	3,375.40
Highway Fund	363,669.15
Library Fund	3,603.16
Drainage District	1,523.98
Fire Protection Districts	300.33
Miscellaneous Special Revenue	1,210.60
Total Abstract	<u>\$ 743,679.97</u>

RESOLUTION #210 RE: August 2, 2023 Abstract

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

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

WHEREAS, Council did authorize by a majority vote vouchers 43932, 44066-44069, 44071, 44083-44084, 44086-44087, 44096-44110, 44119-44140, 44142-44143, 44146-44178, 44180-44181 totaling \$135,249.17 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	\$ 59,765.09
Townwide Drainage Reserve	2,067.10
Highway Fund	52,134.97
Library Fund	2,485.33
Drainage District	3,150.63
Street Lighting Districts	14,600.05
Sidewalk Districts	954.00
Miscellaneous Special Revenue	92.00
Total Abstract	<u>\$ 135,249.17</u>

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RESOLUTION #211 RE: August 16, 2023 Abstract

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

BE IT RESOLVED, to pay vouchers 44182-44189, 44193-44198, 44200-44230, 44232-44295 totaling \$395,923.43 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 237,502.16
Highway Facility Reserve	31,360.00
Admin Facility Reserve	118.93
Highway Fund	119,120.89
Library Fund	3,870.42
Drainage District	3,467.23
Fire Protection Districts	169.00
Miscellaneous Special Revenue	314.80
Total Abstract	<u>\$ 395,923.43</u>

The next scheduled meeting of the Chili Town Board will be on September 6, 2023 at 5:00 pm (No public comment will be taken at this meeting) regarding the 2024 Budget Workshop in the Town Hall Main Meeting Room.

The next regular scheduled meeting of the Chili Town Board will be September 13, 2023 at 7:00 PM in the Town of Chili, Town Hall, Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.