

Chili Town Board Meeting

November 15, 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. Local Law #3 Extension of a Six Month Moratorium on Smoke & Vape Shops in the Town of Chili.

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 – 10/11/2023

Reports Submitted –

Advanced Payment of Claims – October 2023

Conservation Board Minutes – 10/2/2023

Building Department Report – October 2023

Dog Control Reports – October 2023

Historic Preservation Board Minutes – 9/18/2023

Library Board Minutes – 9/26/2023

Monthly Financial Statement – September 2023, October 2023

Planning Board Minutes – 8/8/2023, (No September Meeting)

Recreation/Senior Center Report – October 2023

Town Clerk Report – October 2023

Traffic & Safety Minutes – 9/7/2023, 10/5/2023

Zoning Board Minutes – 9/26/2023

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from Chester Menkiena, for Asia Nation, Inc. located at 3240 Chili Avenue, Unit B3, Rochester, NY 14624; that they have applied for a liquor license in the Town of Chili.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #247 RE: Authorizing Surety, Form, and Amount of Official Undertaking for the Faithful Performance of the Duties of the Town Clerk and Receiver of Taxes and Assessments

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

BE IT RESOLVED, as follows:

Section 1. The Town Board hereby approves the surety, form, and amount of the official undertaking for the faithful performance of the duties of the Town Clerk and Receiver of Taxes and Assessments as follows:

Type of Undertaking: Government - Form P-Faithful Performance
Insurance company: Utica National Insurance Group
Amount: \$500,000.00

Section 2. A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law Section 25.

RESOLUTION #248 RE: Adopting Assessment Rolls for 2024 for Lighting Districts, Drainage District, Fire District, Fire Protection Districts, Ambulance District, Park District, and Sidewalk Districts.

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

WHEREAS, this Board on October 11, 2023 commencing at 7:00 p.m., duly held public hearing(s) on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2024, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance district, park district and sidewalk districts, for 2024, and having heard all persons desiring to be heard in the matter and said assessment rolls for said fiscal year having been fully discussed and considered by the Town Board acting on behalf of all said Districts; and

BE IT RESOLVED, that the assessment rolls for 2024 for the various lighting districts, drainage district, fire district, fire protection districts, ambulance district, park district and sidewalk districts as printed in the preliminary budget, are hereby adopted and established as the final assessment rolls for the fiscal year beginning January 1, 2024; and

BE IT FURTHER RESOLVED, that said assessment rolls be and the same hereby are filed in the Office of the Town Clerk.

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RESOLUTION #249 RE: Adoption of the Annual Town Budget for 2024

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

WHEREAS, this Board on October 11, 2023 commencing at 7:00 p.m., duly held public hearings on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2024, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance district, park district, and sidewalk districts, for 2024, and having heard all persons desiring to be heard in the matter of the budget for this Town for such fiscal year having been fully discussed and considered; and

BE IT RESOLVED, that said preliminary budget is approved and filed, including the budgets for the lighting districts, drainage district, fire protection districts, ambulance district, park district, and sidewalk districts for 2024, and that such annual budget is so adopted as detailed in the minutes of the proceedings of this Town Board; and

BE IT FURTHER RESOLVED, that the salaries of the elected officials included in the 2024 budget and as set forth in the published notice are adopted as published; and

BE IT FURTHER RESOLVED, that the Town Clerk shall prepare and certify as provided by law, triplicate copies of the said annual budget hereby adopted and deliver one such copy to the Supervisor of the Town and two copies to the County of Monroe as required by law.

RESOLUTION #250 Standard Work Deputy Commissioner of Public Works

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

WHEREAS, the Town of Chili wishes to modify the previously set standard work day for Deputy Commissioner of Public Works; and

NOW, THEREFORE BE IT RESOLVED, that the town of Chili hereby establishes the following as standard work day for Deputy Commissioner of Public Works and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system submitted by this official to the human resources department:

Title	Standard Work Day (Hrs/Day)
Deputy Commissioner of Public Works	7.0

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RESOLUTION #251 RE: Penflex Inc. Agreement

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

BE IT RESOLVED, that Supervisor Dunning is authorized to enter into a Service Fee Agreement with Penflex, Inc. to perform standard administrative services for the Chili Fire Department Inc. Service Award Program for the term November 1, 2023 to October 31, 2024 as well as actuarial services in connection with the GASB 73 required financial statement disclosures.

RESOLUTION #252 RE: ARPA/ SLFRF Funds – Paper Folder

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 purchasing a paper folding machine to be used for the Town’s mass mailings; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$4,690.00; and to amend expense account A1620.4 (Buildings – Admin Facility Operations) by an increase of \$4,690.00.

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RESOLUTION #253 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 November 13, 2023:

Sean Pelaez, Paul Schramm, Nathan Winiarski (Mutual Aid)

RESOLUTION #254 RE: Chili Fire Department Remove from Active List

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

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

Steve Donahue 10/16/2023, Andrew Eschner 10/30/2023, Zach Miller 10/8/2023, Vladimir Rosien 10/30/2023,
Zach Stahl 10/12/2023

RESOLUTION #255 RE: Chili Fire Department Exempt List

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

BE IT RESOLVED, that the following individual(s) be added to the Chili Fire Department exempt list from the CFD active list effective October 2, 2023:

Michael Campoli

RESOLUTION #256 RE: 2023 Budget Amendments

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

BE IT RESOLVED, to transfer \$2,000.00 from A1990.4 (Contingency) to A1430.4 (Payroll Processing); and

BE IT FURTHER RESOLVED, to transfer \$1,500.00 from A1990.4 (Contingency) to A1680.2 (Information Technology - Equipment); and

BE IT FURTHER RESOLVED, to transfer \$4,000.00 from A1990.4 (Contingency) to A1670.4 (Central Mail - Postage).

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RESOLUTION #257 RE: Transfer for Dog Kennel Project

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

WHEREAS, the Town of Chili is in the process of building a new dog kennel; and

WHEREAS, as of December 31, 2021, the Town had funds set aside in the General Fund Assigned Unappropriated Fund Balance for use towards a series of ongoing and upcoming projects, including a new dog kennel; 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 towards the construction of a new dog kennel; and

NOW, THEREFORE, BE IT RESOLVED, to amend expense budget A1620.2 (Buildings - Equipment) by an increase of \$150,000.00; and

BE IT FURTHER RESOLVED, to expend up to \$150,000.00 from the General Fund Assigned Unappropriated Fund Balance on the dog kennel project.

RESOLUTION #258 RE: Award Bid – Dog Shelter

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

WHEREAS, bids for the construction of a Dog Shelter were received by the Town Clerk on November 1, 2023 as follows:

<u>Bidder</u>	<u>Base Bid</u>
Whitney East, Inc	\$490,800.00
Loyal Nine Development	\$498,800.00
Maracon Enterprises, Inc	\$507,000.00
UDN, Inc	\$540,000.00

WHEREAS, the bids and qualification we reviewed by the Deputy Commissioner of Public Works & the Commissioner of Public Works and a determination has been made that the Bid from Whitney East, Inc best meets the intent of the Contract Documents, Specifications and requirements of the town and is acceptable and therefore recommends that it be accepted; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Supervisor to sign the contract with Whitney East, Inc., subject to the approval of the Counsel for the Town with costs to be paid from A1620.2 (Buildings-Equipment).

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RESOLUTION #259 RE: Bids for Sidewalk Plowing

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

WHEREAS, on November 1, 2023, the Chili Town Clerk received written sealed proposals for the plowing of sidewalks for the 2023/2024 season. The proposals identified a total cost for the main general sidewalk areas, and for Sections 1-10 of the Park Place sidewalk district, Sections 1-2 of the Rose Hill Sidewalk District and the Vista Villa Sidewalk District. Three (3) proposals were received as follows:

Chris Krenzer

Bid Item #1 General Sidewalks

Bid Item #2 Park Place

Bid Item #3 Vista Villa's

Total Bid Amount – \$3,380.00

David Krenzer

Bid Item #1 General Sidewalks

Bid Item #2 Park Place

Bid Item #3 Vista Villa's

Total Bid Amount – \$2,773.00

Doug Krenzer

Bid Item #1 General Sidewalks

Bid Item #2 Park Place

Bid Item #3 Vista Villa's

Total Bid Amount – \$2,699.00

NOW, THEREFORE, BE IT RESOLVED, to award the sidewalk plowing bid to the low bidder, Doug Krenzer at a cost of \$2,699.00 per trip for general area sidewalks, the Park Place Sidewalk District, Rose Hill Sidewalk District and Vista Villa Sidewalk District.

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RESOLUTION #260 Monroe County Snow & Ice Agreement

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

BE IT RESOLVED, to authorize the Town Supervisor to execute an Intermunicipal Agreement with the County of Monroe to provide snow and ice control on all County roads within the Town of Chili; and

BE IT FURTHER RESOLVED, that this Agreement is to be for a one-year period commencing on October 1, 2023 with annual renewals upon mutual consent for up to four (4) additional years. The total estimated payment from the County for the 2023/2024 season of \$271,181.48. Each year the rate of reimbursement will be adjusted for labor, equipment, and materials based upon a review of the previous year's actual costs and formulas to be mutually agreed upon as indicated within the Agreement.

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RESOLUTION #261 RE: ARPA/ SLFRF Funds – Playground Equipment and Purchase of Replacement Playground Equipment and Surfacing

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 installing new playground equipment and surfacing at Hubbard Park, Lower Davis Park, Upper Davis Park and Union Station Park, replacing old, outdated equipment; and

WHEREAS, the Town of Chili has obtained competitive price quotations for replacement playground equipment and surfacing through a Cooperative Purchasing Program (OMNIA Partners f/n/a USC Contract #2017001134) through GameTime for Hubbard Park, Union Station Park, Lower Davis Park and Upper Davis Park; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$1,100,000.00; and to amend expense A7110.2 (Parks - Equipment) by an increase of \$1,100,000.00; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, to authorize the purchase of replacement playground equipment and surfacing from the Cooperative Purchasing Program (OMNIA Partners f/n/a USC Contract #2017001134) through GameTime for Hubbard Park, Union Station Park, Lower Davis Park and Upper Davis Park for an amount not to exceed \$1,100,000.00 to be paid from A7110.2 (Parks - Equipment).

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RESOLUTION #262 RE: October 18, 2023 Abstract

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

WHEREAS, January 2, 2023 Resolution #1 authorized vouchers to be paid October 18, 2023, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 44647-44660, 4466244674, 44676-44687, 44689-44756 totaling \$313,395.75 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	\$	74,845.59
Highway Facility Reserve		1,997.91
General Fleet Reserve		45,000.00
Highway Fund		25,813.12
Library Fund		3,772.28
H61 Archer Rd Park		161,430.74
Drainage District		247.18
Fire Protection Districts		288.93
Total Abstract	<u>\$</u>	<u>313,395.75</u>

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RESOLUTION # 263 RE: November 1, 2023 Abstract

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

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

WHEREAS, Council did authorize by a majority vote vouchers 44757.44773-44783, 44786-44787-44790-44795, 44809-44812, 44814-44856, 44858, 44860-44885 totaling \$166,390.02 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	\$ 107,393.47
Recreation Facility Reserve	4,947.50
Highway Fund	36,348.70
Library Fund	2,449.92
Drainage District	443.28
Street Lighting Districts	14,807.15
Total Abstract	<u>\$ 166,390.02</u>

RESOLUTION #263 RE: November 15, 2023 Abstract

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

BE IT RESOLVED, to pay vouchers 44502, 44537, 44886-44894, 44898-44933, 44937-45018 totaling \$844,638.83 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 497,575.56
Highway Facility Reserve	4,296.15
Highway Fund	267,276.36
Library Fund	71,569.76
Fire Protection Districts	3,921.00
Total Abstract	<u>\$ 844,638.83</u>

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