

Chili Town Board Meeting
December 13, 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.**

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 – 11/15/2023

Reports Submitted –

2023 Y/E Report Architectural Advisory Committee
2023 Y/E Report Assessor
2023 Y/E Report BAR
2023 Y/E Report Building Department
2023 Y/E Report Conservation Board
2023 Y/E Report Ethics
2023 Y/E Report Finance
2023 Y/E Report Historian
2023 Y/E Report Historic Preservation Board
2023 Y/E Report Library
2023 Y/E Report MIS
2023 Y/E Report Planning Board
2023 Y/E Report Recreation Department & Senior Center
2023 Y/E Report Town Clerk
2023 Y/E Report Traffic & Safety
2023 Y/E Report Zoning Board
2030 Comprehensive Plan – Y/E Report 2023
Advanced Payment of Claims – November 2023
Architectural Advisory Committee Minutes –
Building Department Report – November 2023
Conservation Board Minutes – 11/6/2023
Dog Control Reports – November 2023
Historic Preservation Board Minutes – 11/13/2023
Library Board Minutes – 11/24/2023
Monthly Financial Statement – November 2023
Planning Board Minutes –
Recreation/Senior Center Report – November 2023
Town Clerk Report – November 2023
Zoning Board Minutes – 10/24/2023

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J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from Matthew Valone, Recreation Department, that he has resigned; effective November 19, 2023.
2. The Town of Chili has received notification from Michael DaVia, Highway Department, that he is retiring; effective December 26, 2023.
3. Virginia Ignatowski, Town Clerk has received notification from Lori Hahn, Library Board of Trustees, that she is resigning; effective December 31, 2023.

K. Pending Business

L. Old Business

M. New Business

RESOLUTION #266 RE: Fire and Ambulance Contracts

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

BE IT RESOLVED, that Supervisor Dunning be authorized to sign Fire and Ambulance Contracts in accordance with the 2024 Budget, pending review of counsel.

RESOLUTION #267 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 December 11, 2023:

Dominic J. Steiner

**RESOLUTION #268 RE: Letter of Credit Release #2 (Final Release) for Victory Express,
350 International Blvd**

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

BE IT RESOLVED, that per recommendation of the Town Engineer and Commissioner of Public Works that, \$38,384.77 be released from Letter of Credit #1109090730 with Canandaigua National Bank (CNB) for Victory Express, 350 International Blvd. Said release leaves a balance of \$0.00, resulting in said Irrevocable Letter of Credit being closed out; subject to any outstanding engineering fees to be paid to the Town for the project.

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RESOLUTION #269 RE: SEQR Status for Adoption of Local Law #___ of 2023 for the Extension of a Six

Month Moratorium for Smoke & Vape Shops of the Town Code

OFFERED BY: _____ SECONDED BY: _____

WHEREAS, that the Town Board classifies the adoption of proposed Local Law #___ 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.

**RESOLUTION #270 RE: Adoption of Local Law #___ of 2023 for an Extension of a Six Month
Moratorium for Smoke & Vape Shops of the Town Code**

OFFERED BY: _____ SECONDED BY: _____

WHEREAS, a proposed Local Law #___ of the year 2023 to the Code of the Town of Chili, for an extension on a Six Month Moratorium for Smoke & Vape Shops in the Town of Chili was introduced to the Town Board of the Town of Chili on the 11th day of October, 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 15th day of November, 2023 a public hearing was held at 7:00 p.m. to consider the adoption of a proposed Local Law #___ of the year 2023 to the Town Code of the Town of Chili, for an Extension of a Six Month Moratorium for Smoke & Vape Shops approvals and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, the Town of Chili has been actively reviewing and composing local codes for Smoke and Vape Shops and requires additional time to complete the composition and approvals for said code; and

NOW, THEREFORE, BE IT RESOLVED, upon the evidence obtained by the Town Board at said public hearing and upon all other information obtained and reviewed by the Board; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that Local Law #___ of 2023 is hereby enacted by the Town Board of the Town of Chili.

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RESOLUTION #271 RE: 2023 Budget Amendments

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

BE IT RESOLVED, to transfer \$1,500.00 from A1110.1 (Justices - Personnel) to A1310.1 (Director of Finance - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$2,000.00 A1110.1 (Justices - Personnel) to A1330.1 (Tax Collector - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$3,000.00 from A1110.1 (Justices - Personnel) to A1410.1 (Town Clerk - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$1,500.00 from A1110.1 (Justices - Personnel) to A1430.1 (Personnel - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$3,000.00 from A3620.1 (Safety Inspection - Personnel) to A3410.1 (Fire Marshal - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$2,000.00 from A1490.1 (Dept. of Public Works - Personnel) to A5010.1 (Supt. Of Highway - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$3,000.00 from A8160.4 (Refuse/Garbage – Temp Labor) to A7110.2 (Parks - Equipment); and

BE IT FURTHER RESOLVED, to transfer \$12,000.00 from DA5142.4 (Snow Removal - Miscellaneous) to DA5130.4 (Machinery - Parts); and

BE IT FURTHER RESOLVED, to transfer \$12,000.00 from DA5142.4 (Snow Removal - Miscellaneous) to DA5130.4 (Machinery – Equipment Repairs); and

BE IT FURTHER RESOLVED, to transfer \$9,000.00 from DA5142.4 (Snow Removal - Miscellaneous) to DA5130.2 (Machinery - Equipment).

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RESOLUTION #272 RE: ARPA/ SLFRF Funds – Network Security Enhancements

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 implementing multifactor authentication for users wishing to gain network access; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$29,900.00; and to amend expense account A1680.2 (Information Technology – Equipment) by an increase of \$9,900.00 and expense account A1680.4 (Information Technology - Professional Services) by an increase of \$20,000.00.

RESOLUTION #273 RE: Network Security Enhancement

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

WHEREAS, the Director of Management Information Services has requested that the Town increase network security by implementing multifactor authentication for users wishing to gain network access; and

WHEREAS, the Director of Management Information Services wishes to engage a local technology services vendor to provide implementation and oversight of the deployment of security enhancements to the Town network; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Management Information Services is hereby authorized to purchase multifactor authentication hardware, software, and a 5-year subscription to a multifactor authentication service from ePlus Technology, Inc. under NCPA Contract 01-96 for a sum not to exceed \$9,400.00 from A1680.2 (Information Technology – Equipment); and

BE IT FURTHER RESOLVED, that the Director of Management Information Services is hereby authorized to purchase a 3-year VPN licensing subscription from ePlus Technologies, Inc. under NYS OGS Contract PM20800 for a sum not to exceed \$500.00 from A1680.2 (Information Technology – Equipment); and

BE IT FURTHER RESOLVED, that the Director of Management Information Services is hereby authorized to engage ePlus Technology, Inc. to provide professional services for network and security enhancements for a cost not to exceed \$20,000.00 to be paid from A1680.4 (Information Technology – Professional Services) with expenses paid as incurred.

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RESOLUTION #274 RE: Email Perimeter Protection

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

WHEREAS, the Town receives thousands of emails every day, many of which are of malicious intent; and

WHEREAS, the Director of MIS has determined the current security systems in place are in insufficient in protecting the Town communications from viruses, phishing expeditions, scams, and other materials that pose a risk; and

NOW, THEREFORE, BE IT RESOLVED, that the Director of Management Information Services is hereby authorized to purchase a subscription to a new antivirus system geared toward email communications from ePlus Technologies under NYS OGS contract PM68178 for a term of one year for \$2,520.07 to be paid from A1680.4 (Information Technology – Support/Maintenance).

RESOLUTION #275 RE: ARPA/ SLFRF Funds – Polished Granite Monuments

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 constructing a new veteran's memorial at the community center, including the purchase and installation of polished granite monument stones; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$69,448.00; and to amend expense account A7110.2 (Parks - Equipment) by an increase of \$69,448.00.

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RESOLUTION #276 RE: Award Bid – Polished Granite Monuments

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

WHEREAS, bids for furnishing and installation of six (6) polished granite monument stones were received by the Town Clerk on December 11, 2023 as follows:

Bidder

Rochester Monument

Base Bid

\$69,448.00

WHEREAS, the bids and qualification we reviewed by the Town Engineer and the Commissioner of Public Works and a determination has been made that the Bid from Rochester Monument 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 Commissioner of Public Works to accept the Bid from Rochester Monument for a cost of \$69,448.00 to be paid from A7110.2 (Parks - Equipment).

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RESOLUTION # 277 RE: In Memory of Marcia Marks

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

WHEREAS, we the Town Board of the Town of Chili find it befitting to extend our deepest sympathy to the Marks family during the passing of Marcia Marks, who on November 20, 2023 passed away; and

WHEREAS, Marcia Marks served from 9/11/1987 – 9/21/1988 as a Clerk Typist for the Town Court and from 9/22/1988 – 5/31/2012 as an Office Clerk IV for the Recreation Department; and

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

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**RESOLUTION #278 RE: Amend Resolution #216 from September 14, 2022 Town Board Meeting –
Purchase of One (1) Six Wheel Dump with Plow Package**

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

WHEREAS, Resolution #216 approved an expense of \$251,000 for one (1) new replacement six (6) wheel dump with plow package for highway; and

WHEREAS, the purchase price of said vehicle has changed to \$254,421.19; and

NOW, THEREFORE, BE IT RESOLVED, to re-authorize the purchase of one (1) new 2024 HV507 SFA International from Regional International off the Onondaga County Bid #8996 at a cost not to exceed \$260,000.00 to be paid from DA5130.2 (Machinery Equipment).

RESOLUTION #279 RE: December 6, 2023 Abstract

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

WHEREAS, January 2, 2023 Resolution #1 authorized vouchers to be paid December 6, 2023, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 45019, 45033-45035, 45039-45084, 45087-45097, 45100-45102, 45110, 45113-45123, 45127-45182, 45184-45196 totaling \$427,425.20 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	\$	216,657.84
Highway Fund		189,453.02
Library Fund		2,959.62
Drainage District		3,340.59
Street Lighting Districts		15,014.13
Total Abstract	\$	<u>427,425.20</u>

The next meeting of the Chili Town Board will be recessed until Friday, December 29, 2023 at 12:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.