

Chili Town Board Meeting
March 13, 2024
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 – 2/14/2024

Reports Submitted –

Advanced Payment of Claims – February 2024

Building Department Report – February 2024

Conservation Board – 2/5/2024

Dog Control Reports – February 2024

Historic Preservation Minutes –

Library Board Minutes – 1/23/2024

Recreation/Senior Center Report – February 2024

Town Clerk Report – February 2024

Traffic & Safety Minutes – 1/4/2024

Zoning Board Minutes – 1/23/2024

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from REV IT UP Bar & Grill, LLC; located at 25 Old Scottsville Chili Road, Rochester, NY 14624 that they have applied for a liquor license.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #104 RE: Use of Workers Compensation Reserve

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

WHEREAS, the Workers Compensation Reserve was established in 2004 in accordance with General Municipal Law §6-j; and

WHEREAS, the Upstate New York Municipal Workers' Compensation Program (UNYMWCP) has completed its 2023 claims deficit/surplus analysis and it has been determined that the Town of Chili has a deficit in the program; and

NOW, THEREFORE, BE IT RESOLVED, to increase budget A.9040.8000.0090 (Workers' Compensation - Reserve) in the amount of \$18,215.00 to pay for the Workers' Compensation deficit due in the current year.

RESOLUTION #105 RE: Outdoor Fitness Court Installation – Public Bid

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

WHEREAS, on or about January 15, 2024, the Town of Chili issued bid documents for installation of the Outdoor Fitness Court; and

WHEREAS, the bid submission deadline date was February 20, 2024; and

WHEREAS, one bid was submitted for this public bid project whose sealed bids were opened and read aloud in public on February 20, 2024 at 2:00 pm; and

WHEREAS, there was only a sole bid and said bid was above the budgeted funding appropriation for this project; and

NOW, THEREFORE, BE IT RESOLVED, that all of the bids submitted in response to the request for bids for the installation of the Outdoor Fitness Court be and hereby are rejected; and

BE IT FURTHER RESOLVED, that the professionals for the Town of Chili shall review the bid documents and make any revisions necessary; and

BE IT FURTHER RESOLVED, that the Commissioner of Public Works is hereby authorized to revise, as necessary, and issue new bid documents and general requirements for a rebid of the installation of the Outdoor Fitness Court; and

BE IT FURTHER RESOLVED, that notice shall be provided to the contractor that all bids were rejected and that this project will be rebid.

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RESOLUTION #106 RE: Authorization to Sign Intrastate Mutual Program (IMAP) Reimbursement Agreement with the New York State Department of Transportation

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

WHEREAS, on December 22, 2022, the Office of the Governor of the State of New York issued Executive Order Number 26, declaring that a disaster was imminent for which the affected local governments were unable to respond adequately and declared a State Disaster Emergency effective on December 23, 2022, and directed the implementation of the State Comprehensive Emergency Management Plan and authorized State agencies to take appropriate action to protect State property and assist affected local governments and individuals in responding to and recovering from the disaster, and to provide “such other assistance as necessary” to protect the public health and safety; and

WHEREAS, on December 26, 2022, the Department submitted a Mutual Aid request to the State Division of Homeland Security and Emergency Services (DSHES), pursuant to Executive Law Section 24, requesting assistance for Erie County and local municipalities with snow removal operations focusing on the City of Buffalo where many locations within the City were inaccessible and without power; and

WHEREAS, upon request, the Town of Chili rendered Mutual Aid to Erie County and local municipalities with snow removal operations focusing on the City of Buffalo; and

WHEREAS, NYSDOT is required under Executive Law Section 29-h(8)(c) to reimburse the Assisting Local Jurisdiction for any moneys paid for salaries or other compensation and traveling and maintenance expenses incurred from activities performed while rendering assistance; and

WHEREAS, NYSDOT is authorized to enter into this AGREEMENT pursuant to its general functions, powers and duties set forth in the New York State Transportation Law, Article II, Section 14 and do all things necessary and convenient to carry out the functions, powers and duties of NYSDOT; and

WHEREAS, the parties desire to enter into an agreement to reimburse the Town of Chili as required by Executive Law Section 29-h; and

NOW, THEREFORE, BE IT RESOLVED, that subject to review and approval of the Counsel for the Town that the Supervisor is hereby authorized to execute the Intrastate Mutual Program (IMAP) Reimbursement Agreement with the New York State Department of Transportation for provided mutual aid.

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RESOLUTION #107 RE: 2024 Budget Amendments

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

BE IT RESOLVED, to transfer \$4,000.00 from A1990.4 (Contingency) to A7550.4 (Celebrations - Contractual).

RESOLUTION #108 RE: Entertainment Chil-E-Fest

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

BE IT RESOLVED, that Supervisor Dunning is hereby authorized to sign a contract with Kevin Roberts Entertainment Agency, Agent for Vegas McGraw to provide musical entertainment (Vegas McGraw) at the 2024 Chil-E Festival not to exceed \$10,000.00, to be paid from account A7550.4. (Celebrations); pending Town Attorney approval.

RESOLUTION #109 RE: February 21, 2024 Abstract

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

WHEREAS, January 2, 2024 Resolution #1 authorized vouchers to be paid February 21, 2024, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 45421-45423, 45646, 45692-45699, 45702-45741, 45744-45796 totaling \$2,783,995.46 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	\$ 68,248.48
Highway Fund	57,389.17
Library Fund	3,574.63
Drainage District	77.18
Fire Protection Districts	2,504,706.00
Ambulance District	150,000.00
Total Abstract	<u>\$ 2,783,995.46</u>

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RESOLUTION #110 RE: March 6, 2024 Abstract

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

WHEREAS, January 2, 2024 Resolution #1 authorized vouchers to be paid March 6, 2024, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 45667, 45797, 45821-45827, 45830, 45834-45878, 45880-45881, 45884-45898 totaling \$236,280.82 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	\$ 154,940.75
Highway Fund	60,684.52
Library Fund	3,509.03
Drainage District	63.30
Street Lighting Districts	<u>17,083.22</u>
Total Abstract	<u><u>\$ 236,280.82</u></u>

The next meeting of the Chili Town Board will be on April 10, 2024 at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.