

# Chili Town Board Meeting

August 14, 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.**

1. Rezone of 2675 Chili Avenue from R-1-15 to NB; Jack Hill, Owner.

### 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 – 7/17/2024

Reports Submitted –

Advanced Payment of Claims – July 2024

Architectural Advisory Committee –

Building Department Report – July 2024

Dog Control Reports – July 2024

Historic Preservation Minutes –

Library Board Minutes – 6/25/2024

Monthly Financial Statement – June 2024, July 2024

Planning Board Minutes –

Recreation/Senior Center Report –

Town Clerk Report – July 2024

Traffic & Safety Minutes – 6/6/2024 (No July Mtg.)

Zoning Board Minutes – 6/25/2024

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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**RESOLUTION #176 RE: Senior Initiative Programs Fund**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, on Resolution #388 from December 31, 2004, the Town Board created the Senior Initiative Programs Fund for the purpose of supporting senior programs and activities; and

**WHEREAS**, Senior programs are funded through the General Fund negating the need for the Senior Initiative Fund; and

**WHEREAS**, all funds in the Senior Initiative Fund have been spent; and

**NOW, THEREFORE, BE IT RESOLVED**, to close the Senior Initiative Programs Fund.

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**RESOLUTION #177 RE: Transfer to Archer Rd Park Project**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town of Chili is in the process of developing the Archer Rd Park property into usable park space for the community as well as rehabbing and enlarging an existing storage facility; and

**WHEREAS**, as of December 31, 2023, 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 the Archer Road Park development; 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 the development of the Archer Road Park property; and

**NOW, THEREFORE, BE IT RESOLVED**, to amend expense budget A9950.9 (Transfers to Capital Projects) by an increase of \$245,000.00; and

**BE IT FURTHER RESOLVED**, to transfer \$245,000.00 from the General Fund Assigned Unappropriated Fund Balance to the Archer Road Park project.

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**RESOLUTION #178 RE: Use of Highway Facility Reserve – Cold Storage Building**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, on December 31, 1969, on Resolution #347, the Town Board established the Highway Facility Reserve, Pursuant to §6-c of the General Municipal Law, as amended, for the purpose of financing the cost of equipment, construction, reconstruction, acquisition or renovation of Chili Highway Facilities; and

**WHEREAS**, the Town wishes to construct a cold storage building on the site of the highway facility to be able to store more equipment indoors, extending said equipment’s life span, at an estimated cost of \$415,000.00; and

**WHEREAS**, on April 12, 2023, on Resolution #126, the Town Board approved the use of \$215,000.00 towards this project, of which \$201,250.00 remains; and

**WHEREAS**, in an effort to reduce the fiscal burden on the current and future budgets, the Town wishes to use funds from the Highway Facility Reserve for the costs related to the construction of the cold storage building on the site of the highway facility; and

**NOW, THEREFORE, BE IT RESOLVED**, that funds in an amount not to exceed \$213,750.00 from the Highway Facility Reserve be used to pay for the costs related to this project, subject to permissive referendum, to be paid from account A1620.4000.0009 (Buildings – Contractual – Highway Facility Reserve); and

**BE IT FURTHER RESOLVED**, that the Town Clerk is hereby authorized and directed to give notice in the official newspaper of the Town.

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**RESOLUTION #179 RE: School Traffic Guard – Full Time**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, that Raymond Ward Jr. shall be appointed to the School Traffic Guard Full Time position and shall be paid at the rate of \$64.30 per day, expenses to be paid by voucher as incurred.

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**RESOLUTION #180 RE: Substitute School Traffic Guard Part Time**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**BE IT RESOLVED**, that Kimberly Farmer shall be appointed to the Substitute School Traffic Guard part Time position and shall be paid at the rate of \$64.30 per day, expenses to be paid by voucher as incurred.

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**RESOLUTION #181 RE: Award Bid – Archer Road Cold Storage Addition and New Public Works Cold Storage Facility**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, bids for the construction of an addition for the cold storage building on Archer Road and the construction of a new cold storage building at 200 Beaver Road were received by the Town Clerk on July 31, 2024 as follows:

Bid Item	Bidder		
	Loyal 9	Whitney East	Taylor Builders
Base Archer Road	\$284,900.00	\$381,600.00	\$405,600.000
Add Alt DPW GC	\$274,000.00	\$305,400.00	\$337,500.00
AR Add Alt - 1 Concrete	\$19,390.00	\$24,900.00	\$21,500.00
DPW Add Alt – 1 Concrete	\$13,790.00	\$15,500.00	\$10,640.00
AR Add Alt – 2 Site	\$78,400.00	\$41,900.00	\$59,850.00
DPW Add Alt – 2 Site	\$50,400.00	\$26,000.00	\$43,175.00
AR Add Alt – 3 Electric	\$42,000.00	\$42,800.00	\$39,750.00
DPW Add Alt – 3 Electric	\$63,000.00	\$63,800.00	\$82,890.00

**WHEREAS**, the bids and qualification were reviewed by the Town Engineer and Commissioner of Public Works and a determination has been made that the Bid from Loyal 9 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

**WHEREAS**, that funds in an amount not to exceed \$213,750.00 from the Highway Facility Reserve, which are subject to a permissive referendum will be used for costs related to Add Alt DPW GC, DPW Add Alt – 1 Concrete, DPW Add Alt – 2 Site and DPW Add Alt – 3 Electric; and

**NOW, THEREFORE, BE IT RESOLVED** per the recommendation of David P. Lindsay, P.E, Commissioner of Public Works and Town Engineer, to award the bid to Loyal 9 for Base Archer Road, AR Add Alt – 1 Concrete, AR Add Alt -2 Site and AR Add Alt -3 Electric for a total cost of \$424,690.00, to be paid from H7110.2000.0061 (Rec Facility – Archer Rd Park); and

**NOW, THEREFORE, BE IT RESOLVED** per the recommendation of David P. Lindsay, P.E, Commissioner of Public Works and Town Engineer that, subject to the permissive referendum, bids for Add Alt DPW GC, DPW Add Alt – 1 Concrete, DPW Add Alt – 2 Site and DPW Add Alt – 3 Electric be awarded to Loyal 9 for a total cost of \$401,190.00, to be paid from A1620.4000.0009 (Buildings – Contractual – Highway Facility Reserve); and

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, to authorize the Supervisor to sign the contract with Loyal 9 subject to the approval of the Counsel for the Town for Base Archer Road, AR Add Alt –1 Concrete, AR Add Alt -2 Site and AR Add Alt 3, Electric and subject to the permissive referendum, sign the contract with Loyal 9 for Add Alt DPW GC, DPW Add Alt – 1 Concrete, DPW Add Alt – 2 Site and DPW Add Alt – 3 Electric.

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**RESOLUTION #182 RE: Intermunicipal Agreement**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town of Chili and Churchville-Chili Central School District have entered into Agreements in the past allowing for Town equipment and personnel to provide salting of roads, parking lots and paved areas at the District’s Chestnut Ridge Elementary School in the Town of Chili with said services to be billed to and paid by the district; and

**BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to execute an Intermunicipal Agreement with the Churchville-Chili Central School District from 7/1/2024 - 6/30/27 for said services subject to review and approval of said Agreement by the Counsel for the Town.

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**RESOLUTION #183 RE: SEQRA Classification and Designating Lead Agency Status for the Paul Road Sidewalk Project**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town Board of the Town of Chili (“Town Board”) desires to progress with the construction of a sidewalk along Paul Road west of Chili Avenue (“Project”); and

**WHEREAS**, Part 1 of the Short Environmental Assessment Form (“SEAF”) and project map has been completed by the Town (“Applicant/Project Sponsor”) and was circulated to identified Involved Agencies for establishing the Town Board as “Lead Agency” in accordance with the State Environmental Quality Review Act (“SEQRA”) for the purpose of conducting a SEQRA review of the Project; and

**WHEREAS**, the Town Board desires to comply with the requirements of SEQRA and its implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”) with respect to the Project; and

**WHEREAS**, the Town Board preliminarily classified the Project as an Unlisted action under SEQRA, and provided Part 1 of the SEAF to other involved agencies for review on July 18, 2024 and comment and concurrence with the Town Board’s desire to serve as lead agency; and

**WHEREAS**, the Monroe County Department of Planning and Development, the only Involved Agency under SEQRA, have not objected to the Town Board establishing itself as lead agency; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby classifies the Project as an Unlisted action under SEQRA and hereby establishes itself as lead agency for purposes of a coordinated review under SEQRA of the Project

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**RESOLUTION #184 RE: SEQRA - Determination of Significance for the Paul Road Sidewalk Project**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town Board of the Town of Chili (hereinafter referred to as Town Board) would like to undertake the construction of a sidewalk along Paul Road west of Chili Avenue (“Project”); and

**WHEREAS**, Part 1 of the Short Environmental Assessment Form (“SEAF”) and project map has been completed by the Town (“Applicant/Project Sponsor”) and was circulated to identified Involved Agencies for establishing the Town Board as “Lead Agency” on July 18, 2024, in accordance with the State Environmental Quality Review Act (“SEQRA”) for the purpose of conducting a SEQRA review of the Project; and

**WHEREAS**, the Town Board desires to comply with the requirements of SEQRA and its implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”) with respect to the Project; and

**WHEREAS**, the Town Board preliminarily classified the Project as an Unlisted action under SEQRA, and provided Part 1 of the SEAF to other involved agencies for review on July 17, 2024 and comment and concurrence with the Town Board’s desire to serve as lead agency; and

**WHEREAS**, all of the aforementioned Involved Agencies have not objected to this Town Board acting as Lead Agency in reviewing this Action pursuant to SEQRA and on August 14, 2024, the Town Board adopted a resolution that classified the Project as an Unlisted action and also established the Town Board as Lead Agency for purposes of a coordinated review for the Action under SEQRA; and

**WHEREAS**, the Town Board has thoroughly reviewed all information provided in the SEAF; and

**WHEREAS**, the Town Board considered all of the comments that were received concerning the Action; and

**WHEREAS**, the Town Board is mindful of the criteria set forth in Section 617.7(c) of the Regulations for determining the environmental significance of an action; and

**WHEREAS**, pursuant to the Regulations, the Town Board has considered the significance of the potential environmental impacts of the Action by (1) using the criteria specified in Section 617.7(c) of the Regulations, and (2) examining the SEAF for the Action, including the facts and conclusions in Part 1 of the SEAF, and completing the analyses for Parts 2 and 3 of the SEAF; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board determines the action to be an unlisted action for the purposes of SEQRA 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.

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**RESOLUTION #185 RE: SEQRA Classification and Designating Lead Agency Status and Set Public Hearing for the Milkhouse Park Development Project**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town Board of the Town of Chili (“Town Board”) desires to progress with the development of Milkhouse Park (“Project”); and

**WHEREAS**, Part 1 of the Full Environmental Assessment Form (“FEAF”) and project map has been completed by the Town (“Applicant/Project Sponsor”) and no agencies were identified as Involved Agencies for establishing the Town Board as “Lead Agency” in accordance with the State Environmental Quality Review Act (“SEQRA”) for the purpose of conducting a SEQRA review of the Project; and

**WHEREAS**, the Town Board desires to comply with the requirements of SEQRA and its implementing regulations set forth at 6 NYCRR Part 617 (the “Regulations”) with respect to the Project; and

**WHEREAS**, the Town Board preliminarily classified the Project as an Type I action under SEQRA, and completed Part 1 of the FEAF; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board hereby classifies the Project as a Type I action under SEQRA and hereby establishes itself as lead agency for purposes of review under SEQRA of the Project; and

**BE IT FURTHER RESOLVED**, that a Public Hearing be set for September 18, 2024 at 7:00 pm at the Town of Chili Town Hall Meeting Room at 3333 Chili Avenue for the Milkhouse Park Project located at 177 Archer Road (Tax Parcel No. 146.14-1-1.111) and for the purposes of SEQRA.

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**RESOLUTION #186 RE: Letter of Credit Release #12 for Rose Hill, Phase 2**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, that per recommendation of the Commissioner of Public Works and Town Engineer that \$60,511.20 be released from the letter of credit #520006900 with the Bank of Castile for Rose Hill, Phase 2, leaving a balance of \$69,401.48; subject to engineering fees and street light bills to the Town.



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**RESOLUTION #187 RE: Website Design and Hosting**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, the Town wishes to enhance and expand its web presence through the engagement of a website developer to design and develop a web presence for the Town; and

**WHEREAS**, the Town wishes to migrate ongoing hosting of the Town website to a hosted solution provider that will manage the backup, security, and compliance of the Town website; and

**NOW, THEREFORE, BE IT RESOLVED**, to transfer \$29,075.00 from A1990.4 (Contingency) to A1680.4 (Information Technology – Support/Maintenance); and

**BE IT FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to engage an outside firm whom specializes in the development and hosting of municipal websites to design and develop a new website for the Town, and to host the website for one year for a cost not to exceed \$29,075.25, to be paid from account A1680.4 (Information Technology – Support/Maintenance); and

**BE IT FURTHER RESOLVED**, that the Town Supervisor is hereby authorized to engage an outside firm to provide hosting services for the Town website for 3 additional years at a cost of \$8,988.00 per year.

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**RESOLUTION #188 RE: August 7, 2024 Abstract**

**OFFERED BY:** \_\_\_\_\_ **SECONDED BY:** \_\_\_\_\_

**WHEREAS**, January 2, 2024 Resolution #1 authorized vouchers to be paid August 7, 2024, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 46697, 46846-46849, 46851-46852, 46856-46866, 46872-46878, 46885-46888, 46890-49892, 46896-46897, 46904-46909, 46912-46917, 46919-46933, 46938-46973 totaling \$485,179.62 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	\$ 93,853.44
General Fleet Reserve	11,543.98
Highway Fund	358,254.99
Library Fund	3,932.31
Drainage District	351.98
Street Lighting Districts	17,242.92
Total Abstract	<u>\$ 485,179.62</u>

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The next scheduled meeting of the Chili Town Board will be on September 4, 2024 at 5:00 pm; regarding the 2025 Budget Workshop in the Town Hall Main Meeting Room (No public comments will be taken at this meeting).

The next regular scheduled meeting of the Chili Town Board will be on September 18, 2024, at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.