

Chili Town Board Meeting
September 18, 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:

1. Presentation to Dennis Sheehan – Years of Service to the Town of Chili.

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

1. Public Hearing on SEQRA for the Milkhouse Park Project, 177 Archer Road.

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 – 8/14/2024, 9/4/2024

Reports Submitted –

Advanced Payment of Claims – August 2024

Building Department Report – August 2024

Conservation Board –

Dog Control Reports – August 2024

Historic Preservation Minutes – 7/8/2024 (No August Mtg.)

Library Board Minutes – 7/23/2024

Monthly Financial Report – August 2024

Planning Board Minutes – 8/13/2024

Recreation/Senior Center Report –

Town Clerk Report – August 2024

Traffic & Safety Minutes – 8/1/2024

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #189 RE: Board of Assessment Review

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

BE IT RESOLVED, that Peter Widener be appointed to the Board of Assessment Review as a temporary member for a one (1) year term from October 1, 2024 to September 30, 2025.

RESOLUTION #190 RE: Set Public Hearing on the 2025 Preliminary Budget

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

BE IT RESOLVED, in accordance of Section 108 of the Town Code the Town Board establishes the date, place and time for the Public Hearing on the 2025 Preliminary Budgets as follows and directs the Town Clerk to publish notice of same, in accordance with Section 108, in the Town's official designated newspaper:

DATE: October 16, 2024
PLACE: Town Hall, 3333 Chili Avenue, Rochester, NY 14624

BE IT FURTHER RESOLVED, that a Public Hearing be set for October 16, 2024 at 7:00 p.m. for the purpose of considering:

- Lighting Districts** (Consolidated Lighting District #1, Chili Industrial, Pumpkin Hill, Blueberry Hill, Parklands of Chili)
- Sidewalk Districts** (Park Place, Vistas at the Links, Rose Hill)
- Park District** (Lexington)
- Consolidated Drainage District**
- Assessment Rolls for Fire and Fire Protection Districts** (Chili, Gates-Chili, Clifton)
- Assessment Rolls for Ambulance District** (CHS Ambulance)
- Proposed contracts for Ambulance District**
- Proposed contracts for Fire and Fire Protection Districts**
- Preliminary Budget 2025**

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to publish notice of same, in accordance with Section 108, in the Daily Record is hereby ratified.

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RESOLUTION #191 RE: Lead Agency and SEQR Determination for 2675 Chili Avenue from R-1-15 (Residential Single Family 15,000 SF min. lot) to NB (Neighborhood Business)

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

WHEREAS, the Chili Town Board (“Town Board”) on the 17th of July, 2024 did declare its intent to be designated the lead agency for purposes of the State Environmental Quality Review Act (“SEQR”) relative to the proposed rezoning of 2675 Chili Avenue (Tax Id. No. 134.13-2-2) from (Residential Single Family 15,000 SF min. lot) to NB (Neighborhood Business) (the "Action"); and

WHEREAS, in accordance with the Zoning Code of the Town of Chili a Public Hearing was duly held by the Town Board on August 14, 2024, commencing at 7:00 P.M. at the Town Hall in the Town and discussion upon the Action having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, the Town Board determined that it was the most appropriate agency to insure the coordination of the Action and the Town Board having provided written notifications to all involved agencies for the purposes of conducting a coordinated review and making the determination of significance thereon under SEQR; and

WHEREAS, the Town Clerk has submitted a memo to the Town Supervisor indicating that the Town did not receive any correspondence from any of the involved agencies indicating an objection to the Town Board acting as Lead Agency for the Action and the Town Board has otherwise given consideration to comments received from involved and interested agencies, if any; and

WHEREAS, the Action is deemed to be an Unlisted Action pursuant to SEQR; and

WHEREAS, the Town Board has reviewed Part 1 of the Short Environmental Assessment Form pursuant to the New York Environmental Conservation Law, Article 8, and the regulations promulgated pursuant thereto in 6 NYCRR Part 617 (“SEQR Regulations”); and

WHEREAS, the Town Board has carefully considered the criteria for determining significance as set forth in the SEQR Regulations; the EAF, the application materials, and all documents, correspondence, testimony, and other information supplied to the Town Board, as well as input obtained during the Public Hearing; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board does hereby designate itself as the Lead Agency for the Action; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board has considered the list of potential environmental effects listed in 6 NYCRR Part 617.7, has taken a hard look and engaged in a reasoned elaboration of the submitted information, has conducted its own analysis and thoroughly reviewed all supporting documentation and has concluded that the action will NOT result in a significant adverse environmental impact; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board adopts Part 2 (Impact Assessment) and Part 3 (Determination of Significance) of the Short Environmental Assessment Form attached and hereby makes a "negative declaration" under SEQR, which constitutes a finding of no significant adverse environmental impacts from the Action and directs the Town Supervisor to complete, sign and date the Short Environmental Assessment Form and the Negative Declaration Form.

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RESOLUTION #192 RE: Rezoning of 2675 Chili Avenue from R-1-15 (Residential Single Family 15,000 SF min. lot) to NB (Neighborhood Business)

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

WHEREAS, in accordance with the Zoning Code of the Town of Chili a Public Hearing was duly held by the Town Board on August 17, 2024, commencing at 7:00 PM at the Town Hall in the Town addressing the rezoning of 2675 Chili Avenue (Tax Id No. 134.13-2-2) from R-1-15 (Residential Single Family 15,000 SF min. lot) to NB (Neighborhood Business) and a discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

WHEREAS, the Town Board, as Lead Agency for State Environmental Quality Review Act (“SEQR”) purposes, has reviewed the environmental record with regard to this application and determined it to be an Unlisted action under Part 617 of SEQR; and

WHEREAS, the proposed Zoning Map Amendment has been reviewed by the Monroe County Department of Planning and Development for comment; and

WHEREAS, the Town Board has carefully reviewed and considered the Town’s 2030 Comprehensive Plan and has determined that the rezoning of 2675 Chili Avenue (Tax Id. No. 134.13-2-2) from R-1-15 (Residential Single Family 15,000 SF min. lot) to NB (Neighborhood Business), does not conflict with the stated goals of the 2030 Comprehensive Master Plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Official Zoning Map of the Town of Chili is amended such that 2675 Chili Avenue (Tax Id No. 134.13-2-2) from R-1-15 (Residential Single Family 15,000 SF min. lot), shall now be placed within the NB (Neighborhood Business) zoning district; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby directed to enter said rezoning into the minutes of this meeting and to give due notice of the adoption of this zoning map amendment according to law; and

BE IT FURTHER RESOLVED, that the Town Clerk shall direct that the Official Zoning Map of the Town of Chili be amended consistent with this resolution; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the property owners, their representatives, the Town Planning Board, Town Zoning Board of Appeals, Town Director of Public Works, Town Engineer, Town Attorney and Associate Town Attorney.

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RESOLUTION # 193 RE: In Memory of Jane Callahan

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

WHEREAS, we the Town Board of the Town of Chili find it befitting to extend our deepest sympathy to the Callahan family during the passing of Jane Callahan, who on September 2, 2024 passed away; and

WHEREAS, Jane Callahan served from 11/16/1988 – 12/31/1989 as Councilwoman for the Town of Chili; 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 Jane Callahan’s memory. The Town Clerk is hereby directed to send a copy of this resolution to the Callahan family.

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RESOLUTION #194 RE: SAFE Before School Site Leader

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

BE IT RESOLVED, that per recommendation of Michael Curley, Director of Parks & Recreation; that Jacqueline Johnston be appointed SAFE Before School Site Leader and paid \$17.05/hour effective September 2, 2024.

RESOLUTION #195 RE: 2024 Budget Amendments

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

BE IT RESOLVED, to transfer \$1,000.00 from A1990.4 (Contingency) to A1310.4 (Director of Finance – Software Support).

RESOLUTION #196 RE: Purchase of One-Ton Dump for Highway

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

WHEREAS, included in the approved 2024 budget is the purchase of one (1) new replacement 1-Ton Dump Truck for Highway; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase of one (1) Chevrolet Silverado 3500 with a Stainless Steel Dump from Jim Barnard Chevrolet off the NYS OGS Contract 23166 for a cost not to exceed \$69,991.93 to be paid from DA5130.2 (Machinery-Equipment).

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RESOLUTION #197 RE: ARPA/ SLFRF Funds – Senior Van

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 new van for the senior center; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$43,385.78; and to amend expense account A6772.2 (Programs for the Aging - Equipment) by an increase of \$43,385.78; and

BE IT FURHER RESOLVED, to authorize the purchase of one (1) 2024 Chevrolet 12 Seat Express Passenger Van off NYS OGS Contract PC23166 from Jim Barnard Chevrolet for a cost not to exceed \$43,385.78, to be paid from A6772.2 (Programs for the Aging – Equipment).

RESOLUTION #198 RE: Substitute School Traffic Guard Part Time

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

BE IT RESOLVED, that Daniel Charcholla 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.

RESOLUTION #199 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 September 9, 2024:

James Cullen, Matthew Freitas, Jeremy McMahon, Brandon Rivera, Christopher Terhaar

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RESOLUTION #200 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 September 9, 2024:

Paul Schramm

RESOLUTION #201 RE: Court

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

BE IT RESOLVED, that Anthony Gabri be appointed as Constable for 2024 to serve summons and petitions on behalf of the Town of Chili; expenses to be paid by voucher as incurred.

RESOLUTION #202 RE: August 21, 2024 Abstract

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

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

WHEREAS, Council did authorize by a majority vote vouchers 46889, 46918, 46934, 46974-46986, 46995-47019, 47022-47080 totaling \$218,356.50 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	\$ 88,203.68
Highway Fund	123,826.27
Library Fund	3,779.88
Drainage District	2,546.67
Total Abstract	<u>\$ 218,356.50</u>

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RESOLUTION #203 RE: September 4, 2024 Abstract

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

WHEREAS, January 2, 2024 Resolution #1 authorized vouchers to be paid September 4, 2024, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 47083-47087, 47103-47113, 47117, 47119-47129, 47131-47181 totaling \$151,445.30 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	\$ 63,244.72
Highway Fund	66,521.28
Library Fund	3,640.06
Drainage District	546.10
Street Lighting Districts	17,493.14
Total Abstract	<u>\$ 151,445.30</u>

RESOLUTION #204 RE: September 18, 2024 Abstract

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

BE IT RESOLVED, to pay vouchers 47182, 47186-47189, 47193-47196, 47201-47205, 47212-47215, 47218-47279 totaling \$457,074.67 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 174,247.10
Highway Fund	278,523.51
Library Fund	3,430.83
Drainage District	873.23
Total Abstract	<u>\$ 457,074.67</u>

The next meeting of the Chili Town Board will be on October 16, 2024 at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.