

CHILI TOWN BOARD
March 19, 2008

A meeting of the Chili Town Board was held on March 19, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:00 p.m. The meeting was called to order by Supervisor David Dunning.

PRESENT: Councilwoman Ignatowski, Councilman Schulmerich, Councilman Slattery, Councilwoman Sperr and Supervisor David Dunning.

ALSO PRESENT: Richard Brongo, Town Clerk; Dawn Forte, Supervisor's Secretary; Sandy Hewlett, Stenographer; Chris Karelus, Building Department Manager; David Lindsay, P.E., Commissioner of Public Works/Superintendent of Highways; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Richard Brongo.

The Pledge of Allegiance was cited. The fire safety exits were identified for those present.

SUPERVISOR DUNNING: I would like to make an announcement. Councilwoman Sperr has taken a position as a Marketing Director for Lu Engineers. The Town has had a long-standing relationship with Lu Engineers that I don't believe should or will be jeopardized by Mary (Sperr)'s new position. To avoid any conflicts, the Town has consulted with our Town Attorney, Richard Stowe, and has reviewed her job description.

The Town will also make all necessary measurements to assure that there is no presence of any impropriety. Mary (Sperr) is and will recuse -- has and will recuse herself from anything involving the hiring, dismissal and/or the payment to Lu Engineers.

Also, we have Bob Hutteman in the audience this evening, President of Lu Engineers. And I would ask Mary (Sperr) if you have anything additional you would like to add to that.

COUNCILWOMAN SPERR: No. I think you said everything. This is an absolutely wonderful opportunity for me to work for a company like Lu Engineers. They're a fantastic company and I look forward to my employment with them and thank Bob (Hutteman) for the opportunity.

SUPERVISOR DUNNING: Thank you.

With that, again, there are no presentations or announcements other than that.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Three speakers addressed the Town Board on various subjects, and the Public Forum concluded at 7:20 p.m.

TOWN BOARD LIAISON REPORTS:

Conservation Board Report by Virginia Ignatowski:

Drainage Committee Report by Virginia Ignatowski:

COUNCILWOMAN IGNATOWSKI: Both Conservation and Drainage have not met since our last meeting.

Planning Board Report by Dennis Schulmerich:

COUNCILMAN SCHULMERICH: Planning did meet. I will let the meeting notes from that meeting stand as the record.

The one application that was heard was the Target application, and it did pass preliminary site plan approval. It is moving forward.

Zoning Board Report by Dennis Schulmerich:

SUPERVISOR DUNNING: Zoning?

COUNCILMAN SCHULMERICH: Did not meet.

Library Board Report by Michael Slattery:

COUNCILMAN SLATTERY: Has not met.

Historic Preservation Board Report by Mary Sperr:

COUNCILWOMAN SPERR: Yes. We have met. Um, the majority of the meeting was taken with the discussion revolving the historic cobblestone homes and the project they're currently working on.

At the last meeting, the Supervisor had mentioned that Bonnie (Moore) was contacted by

the New York Times, that they were going to do an article about the cobblestone houses in the newspaper. Well, they did do that article last week and it was absolutely fantastic with color pictures and interviews with the Dillenbecks.

I just want to say thank you Bonnie (Moore) for your efforts on behalf of the Town. And Bonnie (Moore) was quoted in that article.

For those of you who didn't see it, you can go on line and check it. It was also featured on the blog, the D & C blog. They posted -- the article that was written in the newspaper in the blog, and it includes the pictures. So take some time to take a look at it. Oh, David (Dunning) already has one.

SUPERVISOR DUNNING: Did I steal your comment?

COUNCILWOMAN SPERR: Not at all. But I thought it was really nice that the Historic Preservation Board and the Historian were working together on this.

SUPERVISOR DUNNING: I would like to make one comment. It was online, and I discussed it with Bonnie (Moore) when I came in tonight. I was disappointed this afternoon. I went down to Worldwide News downtown specifically to get a New York Times and -- Sunday's New York Times, and at the cost of \$5, which blew me away, and it wasn't in the New York Times, in the paper itself. It appears it has only appeared in the online edition at this point.

COUNCILWOMAN SPERR: Oh, really.

SUPERVISOR DUNNING: I will get some clarification on that, but right now that is what I have seen.

RICHARD BRONGO: It mentioned that this was in the review (sic) section. Let's see. In the Region Section. And your newspaper didn't have a Region Section, because it said read some of the other articles in the Region Section, so it must have been a section in the paper that -- that they didn't want to send up because then it would have cost you 5.50.

SUPERVISOR DUNNING: So basically I got ripped off.

COUNCILWOMAN SPERR: But they also had Peter Widener, previous Chair and previous Historian, attend the meeting to assist the group in his recollection of some of the historic homes that were there and so he was a great help that night. So most of the meeting was taken up with that. It's coming along nicely. They don't want to be held to a completion date, so we'll leave that open.

Traffic Safety Committee Report by Mary Sperr:

COUNCILWOMAN SPERR: Yes. Traffic & Safety met before the last meeting, but there was an update I would like to add that has transpired since then. I don't know if I made it clear that we have been fortunate to have Monroe County appoint a liaison from Monroe County's Transportation Department to attend our Traffic & Safety meetings. And Brent Penwarden from Monroe County came to that Traffic & Safety meeting, and I can't tell you how helpful it was to have a representative from their DOT sitting right there as questions came up during the discussion and the review of the Target plans, that we were able to get questions answered immediately since the Traffic & Safety Committee meets the Thursday before the Planning Board. And since that meeting, we will also be fortunate to have a liaison from the Sheriff's Department, Captain Don Bergmann has expressed an interest in sitting in on the Traffic & Safety Committee meeting, so he will be attending next meeting.

SUPERVISOR DUNNING: Thank you.

Parks and Recreation Committee Report by David Dunning:

SUPERVISOR DUNNING: Parks and Recreation did meet. Most of the meeting was taken up talking about the plans for the Farmers' Market. They have a -- they have a great layout already set up as far as where the booths and entrances and exits and pathways and how traffic will be directed, and they're genuinely excited about this Farmers' Market and what it might bring to even the Chili Paul Village businesses over there. They have done a phenomenal job with that.

They're also planning on adding seven Saturdays where they will have crafters come in, so it will go above and beyond the Farmers' Market concept and try to bring in some crafters to try to bring in some other things during that event.

They talked a little about the Chil-E Fest and basically finalized some of the plans around the Easter events. The Pizza with the Easter Bunny and the Easter Egg Hunt, I was both at those. They were very well attended, good time and a lot of fun. The Parks and Rec people and all of the volunteers that have participated in that just did a marvelous job.

COUNCILMAN SLATTERY: Supervisor, if I could, in regards to the Parks and Rec, has there been any discussion -- I know Michael (Curley) was looking into something similar to concerts in the parks. Has any -- has that come up at all, any thoughts?

SUPERVISOR DUNNING: Yes. I'm glad you brought that up actually. That was part -- some of the discussion was just briefly they talked about some movies. They're trying to work with Blockbuster now to partner up and do some movies out in the Chili Paul Village parking lot, drive-in type with the inflatable screen like, I believe, the Chil-E Fest, last year they did that. And yes, they're looking at a concerts in the parks type series, trying to shore up some details around that, but yes, there is some interest in that.

COUNCILMAN SLATTERY: Thank you.

Plumbing Board Report by David Dunning:

SUPERVISOR DUNNING: On Plumbing, again, they did meet. Um, there was some

discussion around some questions we had from a developer and our codes and we worked through that. The Board is currently reviewing -- the tests being used for the plumbers and the test that they use. They are going through and want to make some modifications and changes to the test to bring it a little more up to date. They are working on that.

They also had a request and I need to get with Mr. Karelus on this at some point. They requested to be able to accompany the Building Inspectors on some inspections when they go in and looking at some of the fixturing and plumbing work that is being done in some of the new developments, and even some that may be just remodeling, getting into more the commercial end, residential aspects where they may not necessarily have complete expertise in one area or another. They thought it would be helpful to see what the thought process was that the Building Inspectors go through. So they had some interest in doing that, and I will work with Mr. Karelus to see if we can't accommodate that.

COUNCILMAN SLATTERY: Does Counsel need to review anything along those lines regarding liability and our insurance?

RICHARD STOWE: I would like to know what it is we're doing, but when you determine we're doing something --

SUPERVISOR DUNNING: Okay.

COUNCILMAN SLATTERY: Then also our insurance counselor, as well.

SUPERVISOR DUNNING: When we get -- Chris (Karelus) and I will go over the details of that and how we proceed, and then we'll make sure that everybody is involved.

COUNCILMAN SLATTERY: Thank you.

SUPERVISOR DUNNING: Thank you.

MATTERS OF THE SUPERVISOR:

New Matters:

SUPERVISOR DUNNING: No new matters of the Supervisor.

Pending Matters:

1. GIS Maps (Master Plan Update)

SUPERVISOR DUNNING: GIS maps. We did receive the final draft maps today. Everybody got a copy of those? At this point in time, we need to review those. I ask that we take a week. Mr. Karelus is going to meet again with EA Maps next week, and if you can please take and review those maps and if you have anything that needs to be changed or any input that you need to have on those, this is the time to do it.

COUNCILWOMAN IGNATOWSKI: By next Wednesday?

SUPERVISOR DUNNING: Chris (Karelus), what was the date on -- I know it was in the letter, but I don't have --

CHRIS KARELUS: I asked by Friday. I'm meeting with them the 31st. I preplanned the meeting with a week for review.

SUPERVISOR DUNNING: A week from this Friday.

CHRIS KARELUS: To the 28th, have comments back, and the 31st, I'm meeting with EA Maps.

SUPERVISOR DUNNING: And moving forward on that, after that process is -- is done, um, I will be working with RLB to move forward on the contractual procedures we need to follow through on.

2. Old Town Hall Property (Benderson Proposal).

SUPERVISOR DUNNING: On the Old Town Hall Benderson property, I think we will cover some of that when we talk about the Ad Hoc, so I will let that go.

3. Positions available with Board of Assessment Review (1) open.

SUPERVISOR DUNNING: Positions for the Board of Assessment Review. Just so you know, we did some interviews tonight and we'll have further discussions on that up and coming.

REPORTS SUBMITTED:

Community Center Revenue Report – February 2008

Recreation Center Revenue Report – February 2008

Senior Center Revenue Report – February 2008

Conservation Board Minutes – 2/4/08

Historic Preservation Board Minutes – 1/14/08,

Planning Board Minutes – 2/12/08

Recreation Minutes – No Meeting 12/07, 1/9/08

Traffic & Safety Minutes – 2/7/08

CORRESPONDENCE:

1. Mr. Brongo has received formal notification from Timothy Sands, Court Deputy that he is

resigning his position effective 3/6/08.

TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I move we amend this resolution. The amendment would read to -- I don't know the formalities of this, so Rich (Stowe), please correct me if -- but what I would like to change is the "and whereas," where we have the Natale Signs, Graphic Tec, Sign Language, I would like to add Signs-A-Rama, Bristol Signs & Neon, Turning Point Signs & Designs; and whereas, only two proposals were received from Sign Language, Inc. and Sign-A-Rama."

COUNCILWOMAN IGNATOWSKI: Do we need to vote first from removing from the table and then --

RICHARD STOWE: Yes, but I didn't want to cut him off.

SUPERVISOR DUNNING: I told you to cut me off.

COUNCILMAN SLATTERY: Because you moved it yourself --

SUPERVISOR DUNNING: Yeah, yeah. So removing it from the table?

The Board was unanimously in favor of the motion to remove the resolution from the table.

COUNCILWOMAN IGNATOWSKI: I moved to -- now --

SUPERVISOR DUNNING: To remove from the table -- now --

COUNCILWOMAN IGNATOWSKI: You moved to amend it. I will second your amendment.

SUPERVISOR DUNNING: Seconded by Councilwoman Ignatowski.

RICHARD STOWE: On the amendment.

The Board was unanimously in favor of the amendment to the resolution.

SUPERVISOR DUNNING: On the resolution as amended?

COUNCILWOMAN IGNATOWSKI: Discussion?

SUPERVISOR DUNNING: Is there any discussion?

RICHARD STOWE: Yes. I -- I did. I'm taking the "assume" out of this. We got additional proposals. The proposal we're accepting is the same proposal from Sign Language that we had before?

SUPERVISOR DUNNING: Yes.

RICHARD STOWE: But we were hitting the Board's request to get additional quotes and go further, and we ended up back where we thought we were, so we don't need to amend that part of the resolution.

SUPERVISOR DUNNING: Exactly.

RICHARD STOWE: I'm done.

SUPERVISOR DUNNING: I would just like to add in there, there was some question and concern around warranty and consistency at the last Town Board meeting, and for the benefit of the public, both of those were looked at. As far as consistency goes, one of those things that we -- we can do our best to hire companies that we think will stay in business, but we can't control how long somebody stays in. So as long as they stay in business, we should be able to get the consistent sign. And consistencies as far as the look of signs across, these signs being produced by this company would be consistent with the other Town signs that we have used in the past.

COUNCILWOMAN IGNATOWSKI: The green and gold?

SUPERVISOR DUNNING: The green and maroon and gold or -- there was another sign, the black one.

COUNCILMAN SCHULMERICH: The pictures we saw didn't look like the other Town of Chili signs we had.

COUNCILWOMAN SPERR: But the current park signs have green and red. I think you had mentioned that in your comments last time, that they were a little difficult to see.

COUNCILMAN SCHULMERICH: The -- yes.

So would you like me to clarify that?

COUNCILWOMAN SPERR: Go further.

COUNCILMAN SCHULMERICH: There were a block of signs, there were more than one sign that was made, I believe, within the Town that had green and -- green background and red letters that was not made by this company. It was a -- it was an internally manufactured sign.

COUNCILWOMAN SPERR: Okay.

COUNCILMAN SCHULMERICH: So I -- basically what I am suggesting is -- I'm sorry, I just lost my train of thought here. What I am -- what I am suggesting is that when you come to Chili, I'm perceiving we would want to have a theme to the way the sign appears whether you're going to the Highway Department, the Town Hall or the parks. So if, in fact, what we're getting with this, if we all agree that that is aligned with the consistency with how the rest of the signs in Chili look, then I'm fine with that.

COUNCILMAN SLATTERY: Make sure they're all uniform basically.

COUNCILMAN SCHULMERICH: Yeah. Yeah.

COUNCILWOMAN IGNATOWSKI: My preference is the green with the -- with the gold

letters as opposed to the black, because we have a lot of other signs in Town already that had that look to it.

COUNCILMAN SCHULMERICH: Yeah.

SUPERVISOR DUNNING: And under warranty, these do have a two-year warranty. This was the best warranty of all companies that responded back to us. This was the better of the warranties. It is a two-year warranty.

COUNCILMAN SCHULMERICH: So one thought I have, is based on the life and the renewal fee that we paid to have the signs updated on -- along 490, I believe it's the same company, probably the same material, that was not an insignificant expense, so for the number of signs we are starting to get in Chili, we may want to think about building into our annual budget what it is going to take to keep these updated or we're going to get hit with a big number all at once.

COUNCILMAN SLATTERY: Good point.

COUNCILWOMAN IGNATOWSKI: Good point.

COUNCILWOMAN SPERR: Good point. Aren't you glad we asked you for your opinion?

COUNCILMAN SCHULMERICH: It happens so rarely. (Laughter.)

SUPERVISOR DUNNING: May never happen again. (Laughter.)

So can I go back on the resolution as amended?

RICHARD STOWE: Well done.

The Board was unanimously in favor of the resolution as amended.

OLD BUSINESS:

BE IT RESOLVED to remove from the table Resolution #134 tabled on March 5, 2008

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski

RESOLUTION #134 RE: Chili Park Entrance signs

OFFERED BY: Councilman Sperr SECONDED BY: Councilwoman Ignatowski

WHEREAS, the Town of Chili has received \$18,000 in grant monies from Senator James Alesi for Town Park signs,

AND WHEREAS, Request for Proposals were sent to the following sign companies:

Natale Signs
Graphic Tec
Sign Language Inc.

AND WHEREAS, only one proposal was received from Sign Language Inc.,

BE IT RESOLVED that per the recommendation of the Michael Curley, Parks and Recreation Director, Supervisor Dunning is hereby authorized to sign a contract with Sign Language Inc. Not to exceed \$18,000.

Amendment:

OFFERED BY: Supervisor Dunning SECONDED BY: Councilwoman Ignatowski

WHEREAS, the Town of Chili has received \$18,000 in grant monies from Senator James Alesi for Town Park signs,

AND WHEREAS, Request for Proposals were sent to the following sign companies:

Natale Signs
Graphic Tec
Sign Language Inc.
Sign-A-Rama, Bristol Signs & Neon, Turning Point Signs & Designs

AND WHEREAS, only two proposals were received from

Sign Language Inc.,
Sign-A-Rama

BE IT RESOLVED that per the recommendation of the Michael Curley, Parks and Recreation Director, Supervisor Dunning is hereby authorized to sign a contract with Sign Language Inc. Not to exceed \$18,000.

On the amendment: Unanimously approved

On the original resolution as amended: Unanimously approved

PENDING OUTSTANDING RESOLUTIONS:

TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: We're not prepared at this point in time to go any further with that one.

RESOLUTION #133 RE: Set Public Hearing to consider adoption of Local Law #2 of 2008 for the adoption of updated Code of the Town of Chili

OFFERED BY: Supervisor Dunning SECONDED BY: Councilman Slattery

BE IT RESOLVED that a Public Hearing be set for April 2, 2008 at 7:00 PM to consider the adoption of Local Law #2 of 2008 to adopt the updated Code of the Town of Chili and;

BE IT FURTHER RESOLVED, that the Town Board hereby declares itself lead agency for the SEQR review process and directs the Town Clerk to send notification of such designation to all affected agencies.

HELD

TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: The next step obviously would be to fill this committee. I know we have a number of individuals we can probably utilize that were on the Ad Hoc that can move forward. We did have two other -- I think two other resumes that came in. So -- so we'll need to move forward with interviewing those, and hopefully we can get this filled.

SUPERVISOR DUNNING: And we can -- I can start contacting some of these people in the next few days.

COUNCILWOMAN IGNATOWSKI: Could you give us a list of who all is on the current Ad Hoc Committee?

SUPERVISOR DUNNING: Sure. You will have that tomorrow.

Any other questions or comments?

COUNCILWOMAN SPERR: I guess my request would be everyone who is interested in addition to the members on the Ad Hoc -- I'm sorry. I guess my list would also -- I would ask if you would include everyone who has expressed an interest in being on that Architectural Review Committee and note which members are current -- were current members of the Ad Hoc.

SUPERVISOR DUNNING: No problem.

COUNCILWOMAN SPERR: Thank you.

**RESOLUTION #146 RE: ADOPTION OF LOCAL LAW #1 OF 2008
Architectural Advisory Committee**

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr

WHEREAS, a proposed Local Law #1 of the year 2008 to amend the Code of the Town of Chili to include a new chapter entitled "Architectural Advisory Committee" was introduced to the Town Board of the Town of Chili on the 6th day February 2008 and has been determined to be in order; and

WHEREAS, a Public Hearing was held by the Chili Town Board at the Town Hall in the Town of Chili, New York on the 5th day of March, 2008 at 7:00 p.m. to consider adoption of the proposed Local Law #1 of the year 2008 amending the Code of the Town of Chili to include a new chapter entitled "Architectural Advisory Committee"

NOW, THEREFORE, BE IT RESOLVED, that Local Law #1 of the year 2008 is hereby enacted by the Town Board of the Town of Chili.

UNANIMOUSLY APPROVED

RESOLUTION #147 RE: ORDER ESTABLISHING THE EXTENSION CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE PROPERTY LOCATED AT 1420 SCOTTSVILLE ROAD, ROCHESTER, NY 14624 TAX MAP NUMBER 147.02-1-14, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

WHEREAS, at a regular meeting of this Town Board held on February 6, 2008, Resolution #

121 was adopted approving an extension of the Chili Consolidated Drainage District serve the property located at 1420 Scottsville Road, Rochester, NY 14624 tax map number 147.02-1-14; and

WHEREAS, the Town Board's determination that it is in the public interest to assess all expenses of the Chili Consolidated Drainage District, including this extension and all extensions heretofore or hereafter established, as a charge against the entire area of the district, as extended, was subject to a permissive referendum pursuant to Sec. 206a of the Town Law; and

WHEREAS, a notice of resolution subject to a permissive referendum containing an abstract of the Town Board's determination was published and posted as required by law; and

WHEREAS, no petition requesting a referendum has been filed;

NOW, THEREFORE, IT IS ORDERED, that the Chili Consolidated Drainage District is hereby extended, as of this date, to include an area wholly located within the Town of Chili, County of Monroe and State of New York, pursuant to the terms contained in the Town Board Resolution # 121, dated February 6, 2008; and said area to be included in said extension is more particularly described in Schedule A which is attached hereto and incorporated herein by reference, and it is further

ORDERED, that the Town Clerk is hereby directed to certify a copy of this Order and forthwith cause said copy to be recorded in the Office of the Monroe County Clerk in which County the Town of Chili is situate and to forward a certified copy of the same (in duplicate) to the New York State Department of Audit and Control.

Upon a call of the Roll of the Members of the Town Board of the Town of Chili:

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: If I may, this is not with the Drainage District, and I know I called Dick (Brongo) and I had seen at the Planning Board that they went also looking for ADATOD and that has not come into you.

RICHARD BRONGO: That has not as yet. No application for the zoning.

COUNCILMAN SCHULMERICH: Pardon me?

COUNCILWOMAN SPERR: Which resolution are you referring to?

COUNCILWOMAN IGNATOWSKI: The one we just voted on.

COUNCILMAN SLATTERY: 148.

COUNCILWOMAN IGNATOWSKI: 148, 795 Beahan Road, they came to Planning Board seeking recommendation for rezoning to ADATOD on February the 12th. I just got finished reading the meeting minutes on that, and I haven't seen it come through to us at all on it, and I was just curious what the status was. I had called yesterday and they said they had not received an application. I was just curious as to why. If they went through the process at Planning Board, why they haven't brought it forward to here.

RICHARD BRONGO: Maybe they don't realize they have to apply.

COUNCILWOMAN IGNATOWSKI: That is my concern, are they aware they have to make an application to complete that process?

SUPERVISOR DUNNING: Do you know, Chris (Karelus), can you answer that?

CHRIS KARELUS: I can tell you I know they have gone to the Planning Board for recommendation for rezoning. If they haven't approached the Town Clerk for a rezoning application at this point, no. They're aware of the process and the steps they need to make. I will make a point to get a hold of Mr. (inaudible).

RESOLUTION #148 RE: ORDER ESTABLISHING THE EXTENSION CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE PROPERTY LOCATED AT 795 BEAHAN ROAD, ROCHESTER, NY 14624 TAX MAP NUMBER 134.19-1-10, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich

WHEREAS, at a regular meeting of this Town Board held on February 6, 2008, Resolution # 120 was adopted approving an extension of the Chili Consolidated Drainage District to serve the property located at 795 Beahan Road, Rochester, NY 14624 tax map number 134.19-1-10; and

WHEREAS, the Town Board's determination that it is in the public interest to assess all expenses of the Chili Consolidated Drainage District, including this extension and all extensions heretofore or hereafter established, as a charge against the entire area of the district, as extended, was subject to a permissive referendum pursuant to Sec. 206a of the Town Law; and

WHEREAS, a notice of resolution subject to a permissive referendum containing an abstract of the Town Board's determination was published and posted as required by law; and

WHEREAS, no petition requesting a referendum has been filed;

NOW, THEREFORE, IT IS ORDERED, that the Chili Consolidated Drainage District is hereby extended, as of this date, to include an area wholly located within the Town of Chili, County of Monroe and State of New York, pursuant to the terms contained in the Town Board Resolution # 120, dated February 6, 2008; and said area to be included in said extension is more particularly described in Schedule A which is attached hereto and incorporated herein by reference, and it is further

ORDERED, that the Town Clerk is hereby directed to certify a copy of this Order and forthwith cause said copy to be recorded in the Office of the Monroe County Clerk in which County the Town of Chili is situate and to forward a certified copy of the same (in duplicate) to the New York State Department of Audit and Control.

Upon a call of the Roll of the Members of the Town Board of the Town of Chili:

UNANIMOUSLY APPROVED

RESOLUTION #149 RE: ORDER SETTING PUBLIC HEARING ON THE PROPOSED EXTENSION OF THE CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE HERITAGE-WEST SIDE SUBDIVISION 14624 TAX MAP NUMBER 133.15-1-3, LOCATED AT 1125 WEST SIDE DRIVE, ROCHESTER, NY 14624 IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

WHEREAS, a written petition, dated March 6, 2008, in due form and containing the required signatures has been presented to and filed with the Town Board of the Town of Chili, Monroe County, New York for the extension of the Chili Consolidated Drainage District to serve the Heritage-West Side Subdivision located at 1125 West Side Drive, Rochester, NY 14624 tax map number 133.15-1-3, more particularly described in Schedule A (Property Description) on file in the Town Clerk's Office; and

WHEREAS, if the district extension is approved, the properties within the proposed extension will be eligible to receive the drainage services available to other properties within the Chili Consolidated Drainage District. No drainage improvements are proposed to be constructed within the proposed district extension by the Chili Consolidated Drainage District at this time.

WHEREAS, as stated in the Petition, all costs relating to the formation of the district extension shall be paid by the petitioners.

WHEREAS, except as otherwise provided above, all expenses of the Chili Consolidated Drainage District, including all extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended; and

WHEREAS, the estimated cost to the typical property, and, if different, the typical one or two family home within the Chili Consolidated Drainage District, in the first year following the formation of the district extension for debt service and operation and maintenance charges, is as follows:

Typical Property: _____ \$0.00 _____

Typical One or Two Family Home: _____ \$0.00 _____

WHEREAS, the proposed district extension is an Unlisted Action for the purposes of the State Environmental Quality Review Act and the regulations promulgated thereunder ("SEQRA"); and

NOW THEREFORE, it is hereby,

RESOLVED, that the Chili Town Board is hereby designated "Lead Agency" for the environmental review of this proposed action; and be it

ORDERED, that a meeting of the Town Board of the said Town of Chili shall be held at the Chili Town Hall, 3333 Chili Avenue, Town of Chili, New York on the 16th day of April, 2008, at 7:00 p.m. to consider the said Petition and to hear all persons interested in the subject thereof and for such other action on the vote of said Town Board in relation to the said Petition as may be proper or required by law; and it is further

ORDERED, that the Town Clerk of the Town of Chili is hereby authorized and directed to publish a copy of this order in the Gates-Chili News and post a copy of the same on the bulletin board in the Office of the Town Clerk, not less than ten (10) days, but not more than twenty (20) days, prior to the date set for said public hearing.

Upon a call of the Roll of the Members of the Town Board of the Town of Chili:

UNANIMOUSLY APPROVED

RESOLUTION #150 RE: Letter of Credit Release Maple Hollow Subdivision Release No. 7

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that per recommendation of the Town Engineer, \$20,040.41 be released from the Letter of Credit with Ontario National (#1013) for Maple Hollow Subdivision, leaving a balance of \$30,393.77; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

RESOLUTION #151 RE: Letter of Credit Release For King Forest, Section 5B

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED that per recommendation of the Town Engineer, \$97,481.76 be released from the letter of credit with M & T Bank (SB 910400-2000) for King Forest Section 5B, leaving a balance of \$40,071.74; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

RESOLUTION #152 RE: Ethics for Assessors Training

OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that Linda Leach, Assessor attend a one-day seminar sponsored by the Institute of Assessing Officers on April 4, 2008 at the Holiday Inn, Brooks Avenue, Rochester NY. The course, Ethics for Assessors is a new training course required for all Assessors. The cost is \$85.00, to be paid from account A1355.4.

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I know there are some questions on this. As far as it stands right now, we -- we probably should schedule a workshop, a public workshop, and they will be open for the public, for the public to come in. We need to establish probably some guidelines and things around the expectations of this committee and who -- the selection of the people on this committee. Um, the sooner we do this, I think the better.

It was suggested we do this, if we can, on April 1st, make that at 7:00 p.m.

COUNCILWOMAN SPERR: I'm available.

COUNCILWOMAN IGNATOWSKI: Supervisor, I have a Drainage Committee meeting, but this is important, and I think they could understand if I had to make the workshop instead of their meeting.

COUNCILWOMAN SPERR: Here at the Town Hall?

SUPERVISOR DUNNING: Yes.

COUNCILMAN SCHULMERICH: I'm available.

COUNCILMAN SLATTERY: I'm, as well.

SUPERVISOR DUNNING: Then we'll set that for April 1st at 7:00 p.m. We will hold a workshop to -- to move forward with our expectations and -- in the creation of this committee.

COUNCILMAN SCHULMERICH: I'm sorry, did we say we would be here?

SUPERVISOR DUNNING: Yes, in this room.

Are there any other questions or comments on this?

COUNCILWOMAN IGNATOWSKI: Well, if I could, I think there was a misconception by an audience member as to what I was going through on this. This process is going to be evolving and this is what the whole thing is -- is to involve the public input. It's -- we're going to be having a committee -- we haven't discussed yet amongst ourselves who will definitely be on it. I know one of my expectations will be to have some kind of community members in addition to whoever we all determine. So I don't know where the perception came from this would be some

kind of closed process and that we are the ones making the complete decision on this. This is why we're doing it, to get the input. So I was kind of taken aback by those comments.

COUNCILMAN SLATTERY: Supervisor, also a comment was made that we're here to represent the people. But we're also here to listen to our constituents, look to see where they would like to go, what they would like to do, and we want to be doing our due diligence. If we didn't take their comments, their thoughts into consideration when we vote on, whether it's a resolution about a drainage district or about a new Town law, so we have to go to the community. We have to listen to the public. You know, I know each of us, we receive phone calls at home regarding certain situations and certain issues, and I think that all of us are open to the community and to what they have to say and their thoughts. Ultimately, when it comes down to it, there is some people that aren't going to be happy. Some people are going to be happy. But we have to do what is best for the majority of the community.

Another comment that I had heard was in regards to the Senior Center in the past, and we did receive the petition. And unfortunately, I think there's the perception that we're already going to close the Senior Center, we're going to build a new facility and that's it. Well, that's not the case. None of us have said that we want to see us close the Senior Center and then eliminate a Senior Center or build a new one that's, you know, connected on -- with some other property. Those are misinterpretations that are out there and unfortunately is spread around, and now we, as Board members, are hearing bits and pieces of it.

So I think we have done this in the past. I know other Council Members have done this, as well. We try to clear the air and stated that no one has said that we want to move out of the Old Town Hall complex. This is why we're forming this committee, so the public can come to the committee meetings. We can hear their input, you know, this committee could. And then they could bring the recommendations as it states in the resolution back to the Town Board no later than October 15th.

So I think it's very important if people have concerns or people have some questions, or they're just not clear in understanding what this Ad Hoc Committee is about, that they would attend the meetings, give their input, and I'm sure there is going to be other ways to do it besides just attending meetings, whether e-mails or going to the Town website.

So I think it is more for people to understand that we want to hear from the community. It is very important that we do. So I just wanted to clear that up, as well.

SUPERVISOR DUNNING: Thank you. And I -- I agree. It's our responsibility to -- as your elected officials to make sure that we do this right, and that we don't jump into things. We have an awful lot of information that we received over the past couple of years. There has been information coming in. We need to take into consideration everybody in the Town of Chili, and -- as we move forward on this. So it is important that we involve, I think, people from all over the community to get involved with this, and to keep this as -- as open and as a public process -- I think is -- is something that certainly will happen. I don't see any reason why this wouldn't be a public process.

COUNCILWOMAN SPERR: Absolutely.

SUPERVISOR DUNNING: Any other questions or comments?

RESOLUTION #153 RE: Establish an Ad-Hoc, Advisory Committee

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilwoman Sperr

WHEREAS, The Town Board has discussed the desire for an Ad-Hoc, Advisory Committee to further investigate the development proposals and opportunities in the Chili Center area.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby establishes an Ad-Hoc advisory committee to review current proposals and reports in further detail, determine other conceptual options, assess future growth opportunities and assess area assets and liabilities.

BE IT FURTHER RESOLVED, that said committee will consist of members to be appointed by the Town Board and who shall serve at the pleasure of the Town Board.

BE IT FURTHER RESOLVED, that the Supervisor will serve as the Town Board liaison to said committee.

BE IT FURTHER RESOLVED, said committee shall report to the Town Board its findings no later than October 15, 2008.

UNANIMOUSLY APPROVED

RESOLUTION #154 RE: Bike Ride for National Center for Missing & Exploited Children

OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Slattery

WHEREAS, the National Center for Missing & Exploited Children has once again asked for the Town's permission to have their May 16, 2008 one hundred mile bike ride come through the

Town of Chili on Westside Drive, Chili Center Coldwater Road, Chestnut Ridge Road, Paul Road, Chili Avenue, Archer Road and Ballantyne Road from approximately 11:00 a.m. – 12:15 p.m. to spread the awareness about the plight of missing children and share abduction and exploitation prevention educational materials with children along with raising funds for their agency services. This race has been held for the past seven years.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the National Center for Missing & Exploited Children to have their bike ride go through the Town of Chili on Friday, May 16, 2008 provided they notify the Monroe County Sheriff's Office at Zone C, the Chili Fire Department and Ambulance prior to the race and that they provide a certificate of insurance naming the Town as an additional insured.

BE IT FURTHER RESOLVED, that the Town Clerk shall send notification of this resolution to the National Center for Missing & Exploited Children.

UNANIMOUSLY APPROVED

RESOLUTION #155 RE: March 19, 2008 Abstract

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Ignatowski

BE IT RESOLVED to pay vouchers 1068-1254 and 1261 totaling \$180,671.36 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk:

| | |
|-----------------------------|--------------|
| General Fund | \$ 93,150.62 |
| Highway Fund | \$ 56,228.47 |
| Library Fund | \$ 708.75 |
| H44 2007-8 Annual Update | \$ 6,000.00 |
| Consolidated Drainage | \$ 588.06 |
| Clifton Fire Protection | \$ 1,870.50 |
| Chili Fire Protection | \$ 19,575.00 |
| Scottsville Fire Protection | \$ 304.50 |
| Senior Center Fundraiser | \$ 607.70 |
| Special Light Districts | \$ 1,637.76 |
| TOTAL | \$180,671.36 |

UNANIMOUSLY APPROVED

TOWN BOARD DISCUSSION RELATING TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I will mention this. This -- these are payments to Lu Engineers. This was -- this resolution was pulled out, and I'm going to ask Mary (Sperr) to -- to recuse herself from this particular resolution and abstain from voting on this resolution, but these are all payments to Lu Engineers. We have made this a separate resolution to accommodate that.

COUNCILWOMAN SPERR: Thank you.

RESOLUTION #156 RE: March 19, 2008 Abstract

OFFERED BY: Councilman Slattery SECONDED BY: Councilman Schulmerich

BE IT RESOLVED to pay General Fund vouchers 1255-1260 totaling \$3,708.33 to be paid from the Distribution Account as presented to the Town Board by Richard Brongo, Town Clerk.

4 YES WITH 1 ABSTENTION (Councilwoman Sperr abstained.)

The next meeting of the Chili Town Board is scheduled for Wednesday, April 2, 2008 at 7:00 p.m. at the Chili Town Hall meeting room.

The meeting was adjourned at 7:50 p.m.