

CHILI TOWN BOARD

June 1, 2005

A meeting of the Chili Town Board was held on June 1, 2005 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 Logel.

PRESENT: Councilman Powers, Councilwoman Ignatowski, Councilman Slattery,
Councilwoman Sperr and Supervisor Logel.

ALSO PRESENT: Richard Brongo, Town Clerk; Richard Stowe, Counsel for the Town;
Eric Vail, Insurance Counselor; Joseph Carr, Commissioner of Public
Works/Superintendent of Highways; Joseph Lu, Town Engineer;
Dianne O'Meara, Comptroller; John Ferlicca, Deputy Town Supervisor.

The invocation was given by Richard Brongo.

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

ANNOUNCEMENTS:

Supervisor Logel stated today is George Barnett's birthday.

Supervisor Logel introduced two exchange students that have lived with her for the last year since August that will be returning home: Thomas, from Germany; and Kenneth, from Norway. She stated they will be going home at the end of this month. She stated they have had an educational experience while they have been here. She stated it has been a good year. She stated she appreciated their being present.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Six speakers addressed the Town Board on various subjects, and the Public Forum concluded at 7:24 p.m.

TOWN LIAISON REPORTS:

Conservation Report by Virginia Ignatowski

Councilwoman Ignatowski stated the Conservation Board has not met because of the Memorial Day holiday last Monday, which would be traditionally the last Monday. She stated they will meet next Monday.

Drainage Report by Virginia Ignatowski

Councilwoman Ignatowski stated the Drainage Committee also is meeting next Tuesday, so she has no report. Supervisor Logel commented today is the 1st. Councilwoman Ignatowski stated she will have two the next time.

Councilwoman Ignatowski stated if she could, she would like to clarify something. She stated she did not walk through the Ranchmar area on Dan Lynch's behalf. She stated she walked to find out for herself personally what the residents in that area felt. She stated she didn't go in and say this is the plan. She stated she was looking for support. She stated she was actually trying to verify information that was given to her. She stated she wanted to see was there support or not. She stated she wanted to find that out herself. She stated that is why she walked through there.

Councilwoman Ignatowski stated she didn't say that everybody was in support of it. She stated two-thirds of the people were, but yes, there was about a third of the people that weren't. She stated that was the mix. She stated she was not out there trying to sell the idea. She stated she was just out there to ask what people's opinions were.

Historic Preservation Report by Mary Sperr

Councilwoman Sperr stated she did not get an opportunity to attend the Historic Preservation Board meeting because she was out of town but she has discussed what happened so she could report on that. Councilwoman Sperr stated they had a little bit of a light agenda. She stated they were presented with a copy of the code book for the section that applies to the Historic

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Preservation Board because they are considering any changes that need to be made to the code book. She stated they had reviewed that and are satisfied with their current code as it stands and don't recommend any changes.

Councilwoman Sperr stated other than that, there wasn't really much else that Peter (Widener) discussed.

Library Report by Michael Slattery

Councilman Slattery stated the library has received a few grants. He stated one of them was from Susan John for \$2100. He stated another one was from Senator Alessi for \$3,750. Councilman Slattery stated there was a third one that came in for the New York Summer Reading Program, and then that was for \$300, which they were a little excited to receive.

Councilman Slattery stated also their new chairs they ordered for their coffee area have arrived, and those are very comfortable.

Councilman Slattery stated also they're going to be spending out of their budget \$1,000 to do some improvements to the literacy garden they have out back which some people refer to as the children's garden. He stated that is something they will do this year only. He stated next year they said they would only spend \$500 on the plantings. He stated there was damage over the winter and they want to bring that up to par.

Councilman Slattery stated on the 31st, they interviewed for the Library Director position. He stated he hasn't heard the outcome at this point.

Councilman Slattery stated Megan Neumann has resigned from the Library Board, so they have a vacancy there now.

Recreation Report by Jim Powers

Councilman Powers stated there was no quorum for the Recreation meeting.

Traffic & Safety Report by Jim Powers

Councilman Powers stated they spent probably a good hour and a half with John Caruso, and they covered the new subdivision over on Archer Heights, Archer Meadows. Supervisor Logel stated the proposed subdivision. Councilman Powers stated they discussed the Father's House project and 741 Paul Road. He stated they discussed the means and methods of controlling the traffic flow, drainage, the whole works. Councilman Powers stated primarily that was what comprised their Traffic Safety meeting.

Supervisor Logel asked did they come up with any constructive ways to control the traffic. Councilman Powers stated they discussed a number of different ways that might be tried out, but basically they are going to leave the subdivision as it was presented by John Caruso.

Councilman Powers stated they talked about speed bumps. He stated they talked about putting in islands where you go around the island, and they did change the road configuration a little bit, where one goes from Archer Road. He stated but basically they left it pretty much alone.

Councilman Powers stated they talked about another outlet to the Archer Subdivision, proposed subdivision, and they're going to work out the situation with 741 Paul Road should that project become a reality and tie in there so that they have more than one entrance for emergency equipment, et cetera.

Councilman Slattery stated he happened to drive through Cobbs Hill today, and at the park, they have about three speed humps, speed bumps right there to reduce the speed of the traffic coming through there. He stated he thought that was pretty unique. He stated these are something that they remove in the wintertime. Supervisor Logel asked if they are rubber. Councilman Slattery stated they are. He stated they use them in different parts of the city.

Councilwoman Sperr stated Cal-Mum has them for the in and out of their parking area.

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Councilman Slattery stated he thought it was unique. He stated maybe they should take a look at them.

MATTERS OF THE SUPERVISOR:

Supervisor Logel stated Sharon Perry who used to work in the Court Department passed away this past week. She stated the funeral is Friday at DiPonzio's Funeral Home in Gates.

Councilman Slattery stated Don Faso's mother also passed away. He stated the family is doing well. He stated she just had some heart surgery problems recently, she was doing well and then deteriorated.

Councilman Powers stated former Councilman Don O'Connor passed away also. He stated he didn't know whether or not the Supervisor would like to put forth a resolution in that regard. Supervisor Logel stated they could do that next time.

The 5/4/05 Town Board meeting minutes were approved as submitted.

REPORTS SUBMITTED:

Zoning Board of Appeals- April 26, 2005
Community Center monthly Revenue Report- April 2005
Recreation monthly Revenue Report- April 2005
Senior Center monthly Revenue Report- April 2005
Comptroller's Report- March 2005, April 2005
Examining Board of Plumbers- May 2, 2005
Traffic and Safety Committee- May 5, 2005
Chili Historic Preservation Board- May 9, 2005
Chili Planning Board- May 10, 2005
Town Clerk Report- April 2005

CORRESPONDENCE:

Letter dated May 16, 2005 from Richard J. Brongo, Town Clerk, notifying the Town Board that he has received formal notification from Presto Magic Club (formally Casa Blanca Party House) located at 1270 Scottsville Road, that they have made application for their liquor licenses from the State Liquor Authority.

RESOLUTION #196 RE: Public Hearing for Extension of Consolidated Drainage District

Offered by: Councilwoman Ignatowski

Seconded by: Councilwoman Sperr

BE IT RESOLVED that the Consolidated Drainage District be extended to include the Sands property located at 4298 Union Street, N. Chili, NY 14514. Tax ID# 172.030-1-29.41. The required fee has been paid.

UNANIMOUSLY APPROVED

RESOLUTION #197 RE: Setting a Public Hearing for Extension of Consolidated Drainage District

Offered by: Councilwoman Ignatowski

Seconded by: Councilwoman Sperr

BE IT RESOLVED that a Public Hearing be set for July 13, 2005, to consider an

extension to the Chili Consolidated Drainage District to serve the property located at 591 Ballantyne Road, Rochester, NY 14623. Tax ID# 159.020-0001-016-000. The required fee has been paid.

UNANIMOUSLY APPROVED

RESOLUTION #198 RE: Setting a Public Hearing for Extension of Consolidated Drainage District

Offered by: Councilwoman Ignatowski

Seconded by: Councilwoman Sperr

BE IT RESOLVED that a Public Hearing be set for July 13, 2005, to consider an extension to the Chili Consolidated Drainage District to serve the property located at 4369 Buffalo Road, North Chili, NY 14514. Tax ID# 132.17-01-01. The required fee has been paid.

UNANIMOUSLY APPROVED

RESOLUTION #199 RE: Order Setting Public Hearing for Consolidated Lighting District

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

WHEREAS, the Town Board of the Town of Chili is considering the consolidation of the 3360 Chili Avenue Lighting District and the Bellaqua Estates Lighting District with the Chili Consolidated Lighting District #1, each of which serve standard residential subdivisions within the Town of Chili; and

WHEREAS, if said consolidation is approved, the new consolidated district shall retain the name of the Chili Consolidated Lighting District #1; and

WHEREAS, if said consolidation is approved, all expenses of the Chili Consolidated Lighting District #1, including all extensions heretofore or hereafter created, shall be a charge against the entire area of the district, as extended, **except** that lighting improvements required to be installed in new standard residential subdivisions, which subdivisions are or become extensions to Chili Consolidated Lighting District #1, shall continue to be constructed and installed at the expense of the owner / developer in accordance with, and as required by, the final approved subdivision plans; and

WHEREAS, if said consolidation is approved, the basis for the future assessment of all costs of operation, maintenance, and improvements (except as otherwise provided above) shall be taxed on an ad valorem basis;

NOW THEREFORE, it is hereby,

RESOLVED, that the Board declares itself Lead Agency for the environmental review of the proposed lighting district consolidation; and

BE IT FURTHER RESOLVED that the Town Board determines that the proposed consolidation is an Unlisted action under the provisions of the State Environmental Quality Review Act ("SEQRA") and directs that the Town Engineer prepare a short Environmental Assessment Form (EAF) for said action; and it is further

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 13th day of July 2005, at 7:00 p.m. to consider the proposed consolidation of the lighting districts listed above 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 proposed consolidation 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 Post and post a copy of the same on the bulletin board in the Office of the Town Clerk, not less than ten (10) days prior to the date set for said public hearing.

UNANIMOUSLY APPROVED

RESOLUTION #200 RE: Monthly Report of Service Credit for Deputy Supervisor

Offered by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

WHEREAS, the Deputy Supervisor is a salaried part-time position; and

WHEREAS, for this type of situations the NYS and Local Retirement System recommends recording activities for a sample month to calculate the average hours worked in a month; and

WHEREAS, the standard workday for non-labor positions is seven (7) hours;

NOW THEREFORE BE IT RESOLVED to establish an average hours of work per pay period for the Deputy Supervisor to be 3.35 based on an average sample month, which calculates to .48 service credit days per pay period.

UNANIMOUSLY APPROVED

RESOLUTION #201 RE: Revise Monthly Report of Service Credit for Historian

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Slattery

WHEREAS, the Historian is a salaried part-time position; and

WHEREAS, April 14, 2004 Resolution established service credit days per pay period to be .83; and

WHEREAS, service credit was recalculated;

NOW, THEREFORE, BE IT RESOLVED to establish an average hours of work per pay period for the Historian to be 12½ based on an average sample month, which calculates to 1.65 service credit days per pay period.

UNANIMOUSLY APPROVED

RESOLUTION #202 RE: Chili Fire Department Service Award Program

Offered by: Councilwoman Sperr

**Seconded by: Councilwoman
Ignatowski**

WHEREAS, March 2, 2005 Resolution 130 was adopted to use David Rogers of UBS Financial Services Inc for investment services for the Chili Fire Department Service Award Program; and

WHEREAS, David Rogers and his team have moved offices to RBC Dain Rauscher;

NOW, THEREFORE, BE IT RESOLVED to authorize Supervisor Logel to transfer the Chili Fire Department Service Award Program account from UBS Financial Services Inc. to a new account with David Rogers of the LOSAP Group of RBC Dain Rauscher.

UNANIMOUSLY APPROVED

RESOLUTION #203 RE: Budget Transfer

Offered by: Councilman Slattery

**Seconded by: Councilwoman
Ignatowski**

BE IT RESOLVED to transfer \$4,900 from A7310.4 (Youth Contractual) to A7310.1 (Youth Personnel) for the purpose of Seasonal Pee Wee Camp Director and Seasonal Pee Wee Camp Counselors.

UNANIMOUSLY APPROVED

**RESOLUTION #204 RE: Letter of Credit Release for Bellaqua Estates
(Release 3)**

Offered by: Councilwoman Sperr

**Seconded by: Councilwoman
Ignatowski**

BE IT RESOLVED, that per recommendation of the Town Engineer, \$76,420 be released from the letter of credit with First Niagara Bank (#428143) for Bellaqua Estates, leaving a balance of \$340,156.48; subject to engineering fees and street light bills to the Town.

UNANIMOUSLY APPROVED

RESOLUTION #205 RE: Establish Letter of Credit for Maple Hollow Subdivision

Offered by: Councilwoman Ignatowski

Seconded by: Councilman Powers

BE IT RESOLVED that per recommendation of the Town Engineer, a letter of credit shall be established for Maple Hollow Subdivision, in the amount of \$354,371.88.

Items within the letter of credit include, but are not limited to, full depth construction of roadway, construction of an internal storm sewer system, erosion control measures, earthwork, street trees, right-of-way, monumentation, street lighting poles, and the preparation of record plans to be submitted to the Town.

Additional provisions included within the letter of credit are a 10% construction contingency, a 5% contingency for Town Engineering inspection services and a 1% contingency for Town Administration.

UNANIMOUSLY APPROVED

RESOLUTION #206 RE: Recreation Summer Employment

Offered by: Councilman Slattery

Seconded by: Councilwoman Sperr

BE IT RESOLVED that per recommendation of Michael Curley, Parks and Recreation Director, that after concluding the interviewing process, the following people be hired for summer employment.

Playground Director (\$12.75/hour)

Guy Puglia

Assistant Playground Director (\$12.00/hour)

Katie Brown

Pee Wee Summer Camp Director (10.00/hour)

Sara Carman

Seasonal Attendants – Leaders (\$7.00/hour)

Katie Stenshorn

Kyle Gutowski

Kara Saile

Martha Bauer

Joanna Cocuzzi

Seasonal Attendants – Assistants (\$6.00/hour)

Sadie Bauer

Mike Vitale

Nicole Cimino

Amanda Driessler

Melissa Ozarski

Jennifer Scribani

Daniel Trieste

Colin Dooling

Ryan Dooling

Jennifer Walker

Kaitlyn Collins

Seasonal Tennis Head Instructors (\$7.00/hour)

Mike Kelly

Mike Hickey

Lauren Willer

Renee Gambino

Kim Klein

Meagan Saile

Amy Felluca

Elizabeth Femia

Rachael Kowalski

Melissa Salatino

Kevin Swain

Jennifer Kittle

Jenna Farley

Alyssa Brooke-Gay

UNANIMOUSLY APPROVED

**RESOLUTION #207 RE: Authorize Contract to Replace Storm Windows on
Community Center**

Offered by: Councilwoman Sperr

**Seconded by: Councilwoman
Ignatowski**

WHEREAS, the Town intends to replace/install storm windows on the North Chili Community Center in accordance with the Energy Conservation Grant received from the New York State Power Authority,

WHEREAS, Rochester Colonial Manufacturing is the only company in this area known to provide custom made replacement windows (single source vendor),

NOW, THEREFORE, BE IT RESOLVED to authorize the Supervisor to execute a proposal with Rochester Colonial Manufacturing to furnish and install wood frame storm windows for the Community Center building at a cost not to exceed \$16,000.00.

UNANIMOUSLY APPROVED

RESOLUTION #208 RE: June 9, 2005 OSC Forum

Offered by: Councilwoman Ignatowski

**Seconded by: Councilwoman
Sperr**

BE IT RESOLVED Dianne O'Meara, Comptroller is authorized to attend the June 9, 2005 OSC forum on "Fiscal Difficulties, Economic Underperformance, Governmental Cooperation" at Monroe Community College, mileage to be paid as incurred.

UNANIMOUSLY APPROVED

**RESOLUTION #209 RE: July 21, 2005 Zoning, Subdivision and Land Development
Law Seminar**

Offered by: Councilman Slattery

**Seconded by: Councilwoman
Ignatowski**

BE IT RESOLVED that Deputy Supervisor John Ferlicca is authorized to attend the seminar on "Zoning, Subdivision and Land Development Law" July 2, 2005 at the Clarion Riverside Hotel, 120 Main Street at a registration cost of \$319.00.

UNANIMOUSLY APPROVED

RESOLUTION #210 RE: 49 Sequoia Drive Assembly Bill A.8404 and Senate Bill S.5494

Offered by: Councilman Slattery

Seconded by: Councilwoman Sperr

BE IT RESOLVED that the Supervisor and Town Board of the Town of Chili hereby approve the request for a Home Rule Message authorizing the State Legislature's consideration and passage of Assembly Bill A.8404 and Senate Bill S.5494 to alienate and transfer the premises at 49 Sequoia Drive in the Ranchmar Subdivision.

4 YES TO 1 NO (Councilman Powers voted no.)

RESOLUTION #211 RE: Modification of Project Budget Union Street Improvement

Offered by: Councilwoman Ignatowski

Seconded by: Supervisor Logel

WHEREAS, under Resolution #241 dated July 24, 2004, a budget was established for the Union Street/Union Square Blvd. Highway Improvement Project.

NOW, THEREFORE, BE IT RESOLVED to modify that budget as follows:

1440.4	Engineering Inspection (Parrone)	\$ 45,790
1710.4	Administration & Contingency	\$ 13,765
1420.4	R.O.W. Acquisition and Legal (Underberg & Kessler)	\$ 69,750
5197.4	Construction (by Chili)	<u>\$270,695</u>
	Total Appropriations	\$400,000
	Revenues, State Aid, Transportation	\$400,000

UNANIMOUSLY APPROVED

RESOLUTION #212 RE: Authorizing Sale of 60 Stryker Rd.

Offered by: Councilwoman Sperr

Seconded by: Councilwoman Ignatowski

WHEREAS, the Town of Chili has been approached by the Grove Place Cemetery Association to purchase the property located at 60 Stryker Road for \$125,000.00

WHEREAS, it is the intent of the purchaser to utilize the property for cemetery purposes and the purchase offer is contingent upon obtaining with all reasonable due diligence and efforts, all necessary development, environmental approvals and N.Y.S, Division of cemetery approvals for locating a cemetery at 60 Stryker Road,

W, THEREFORE, BE IT FURTHER RESOLVED, that the Town Board determines that it has no plans for utilization of 60 Stryker Road and deem it surplus property and,

W, THEREFORE, BE IT RESOLVED, that the Town Board accepts the purchase offer made by the Grove Place Cemetery Association for 60 Stryker Road, upon its meeting stated contingencies and upon approval by the Attorney for the Town, and authorizes the Supervisor to execute the proper agreements as necessary; and

IT IS FURTHER RESOLVED this resolution is subject to permissive referendum and according to §82 and §90 of the Town Law, within ten (10) days of the date of this resolution, the Town Clerk shall post and publish a Notice which shall set forth the date of the adoption of the resolution, shall contain an abstract of such resolution, shall specify that this resolution was adopted subject to a permissive referendum; and shall publish such notice in the official newspapers of the Town of Chili, and in addition thereto, that the Town Clerk shall post or cause to be posted on the signboard of the Town a copy of said Notice within ten (10) days of the adoption of this resolution.

4 YES TO 1 NO (Councilman Powers voted no.)

RESOLUTION #213 RE: May 18, 2005 Abstract

Moved by: Councilman Slattery

Seconded by: Councilwoman Ignatowski

WHEREAS, January 5, 2005 Resolution #1 authorized vouchers to be paid May 18, 2005 by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 2029-2209 totaling \$116,379.90 to be paid from the Distribution Account as reviewed by Dianne O'Meara, Comptroller

W, THEREFORE, BE IT RESOLVED to note for the record vouchers 2029-2209 were paid from the following funds:

General Fund	\$ 56,353.57
Highway Fund	\$ 35,423.48
H10 Highway Equipment Reserve	\$ 6,823.00
H32 Union Station Park	\$ 6,773.10
H35 D017381 Chili Avenue	\$ 520.00
H41 Annual 2004-5 Revaluation	\$ 810.00
Consolidated Drainage District	\$ 87.54
Special Light Districts	<u>\$ 9,589.21</u>

Total for Abstract \$116,379.90

UNANIMOUSLY APPROVED

RESOLUTION #214 RE: 6/1/2005 Abstract

BE IT RESOLVED to pay vouchers 2348-2472 totaling \$126,052.27 to be paid from the Distribution Account as audited by Dianne O'Meara, Comptroller:

General Fund	\$ 52,821.90
Highway Fund	\$ 9,295.29
H39 Union Street Highway	\$ 3,901.12
Consolidated Drainage	\$ 33.96
Chili Fire Protection District	<u>\$ 60,000.00</u>

Total for Abstract \$126,052.27

4 YES TO 1 NO (Councilman Powers voted no.)

PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on June 1, 2005 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:04 p.m. to consider extension of the Chili Consolidated Drainage District to include the Sands property located at 4298 Union Street, North Chili, NY 14514.

Attendance as previously noted in the 6/1/05 Chili Town Board meeting minutes.
No one was present to represent the Sands property.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:04 p.m.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Five speakers addressed the Town Board on various subjects, and the Public Forum concluded at 8:18 p.m.

The next meeting of the Chili Town Board is scheduled for Wednesday, July 13, 2005 at 7:00 p.m. at the Chili Town Hall Main meeting room.

The meeting was adjourned at 8:18 p.m.