

CHILI TOWN BOARD  
July 9, 2008

A meeting of the Chili Town Board was held on July 9, 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; Joseph Carr, Commissioner of Public Works/Highway Superintendent; Dawn Forte, Supervisor's Secretary; Chris Karelus, Building Department Manager; Dianne O'Meara, Director of Finance; 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:** Before we get started, I would like to make one thing clear about tonight's agenda. You will see two resolutions at the end of this -- at the end of this agenda we have here. We will recess this meeting this evening, and carry on those two resolutions at a future Town Board meeting that we will decide -- decide on a date and time of which this evening. These two resolutions will not be heard tonight.

If the public has any comment, I would recommend you do that during the public forum this evening on either one of those resolutions, as when we recess this meeting and reconvene at a future date, we will not be taking any public comment on those particular resolutions.

With that, I would like to move on.

**PRESENTATIONS/ANNOUNCEMENTS:**

1. Certificate presentation to Wheatland/Chili School Tennis Team.

**SUPERVISOR DUNNING:** We have a certificate of presentation to the Wheatland Chili School tennis team. If you will join me down here. Coach Petes, you and your team, if you would join us down here.

On behalf of the Town of Chili, we would like to recognize the accomplishment of your tennis team. As I understand, you won the Section Class DD Sectional Championship. The team's record was 17 and 0. You went completely undefeated. That's excellent.

On behalf of the Chili Town Board, I would like to present you and your team with this certificate of accomplishment and congratulations, good job.

I would like, if you could, to introduce your team and maybe if you would tell a little bit about what you contributed to the team. We would appreciate that.

The team members introduced themselves and stated their personal tennis accomplishments.

**SUPERVISOR DUNNING:** Again, we would like to congratulate an outstanding accomplishment. I think we owe them a round of applause. (Applause.)

**COACH PETES:** Thank you, the Town of Chili, the Board, for recognizing the team.

**COUNCILWOMAN IGNATOWSKI:** This was first sectional win for the tennis team in the school history.

**SUPERVISOR DUNNING:** Good job. Very good job.

2. The Bonadio Group regarding the 2007 audit.

**SUPERVISOR DUNNING:** Next on the list, we have a presentation by the Bonadio Group. Mr. Stevens, if you would like to step up to the mic and introduce yourself.

**MR. STEVENS:** Thank you. Good evening, Supervisor Dunning and Board members. I'm Craig Stevens, a partner at Bonadio, and I'm here tonight to present the results of the audit.

In front of each of you, you do have a copy of the draft financial statements subject to your approval this evening, as well as another letter that is on our letterhead.

In the interest of time, as well as due to the depth and the quantity of the financial statements, I will sort of go through really some highlights tonight for your benefit and hopefully keep my comments brief.

First of all, I would like to comment on the letter that is on our letterhead first. This letter, as you can see, it's similar to what we have issued in prior years after the conclusion of the audit. Under certain auditing standards, we're required to communicate certain aspects related to the

audit and this letter satisfies those requirements.

First and foremost, under Item A on the first page, the second paragraph is really one of the key sentences that talks about our responsibility to plan and perform the audit, to obtain reasonable assurances that the financial statements are free of material misstatement. We have completed that and we do plan to issue an unqualified audit report on the financial statements year end December 31st, '07.

Item B refers to the fact that nothing changed with respect to our original planning and scope of the audit. That is important in the sense that if wasn't changed, that means something happened that we did not expect, and typically in a negative fashion. Nothing changed with respect to our planning, original planning procedures.

Going to page two, talks about some of the audit findings with respect to certain aspects here, as you can see. And our responses, as you see, are all in the bold print under each of these items, talking about the qualitative aspects of the accounting practice.

There is no new accounting policies this year with respect to the Town. Nothing, there was no really unusual transactions that there wasn't authoritative guidance for. And all of the transactions were obviously recorded in the proper period. So once again, that is important for you to hear.

With respect to accounting estimates, obviously every financial statement has a degree of accounting estimates. You have no really unusual estimates here, or really sensitive. Obviously you have to have a reason to establish a loan (inaudible) account. Establish depreciable life for purposes of depreciation, as well. Estimates that are inherent in any type of financial statement.

Item Number 2, there is very important, I think, from a Board member's perspective. We had no audit adjustments. That is very important. That speaks to the quality of the financial information that we received as part of the audit process and which you're receiving hopefully on a periodic basis throughout the year. Very important.

Keep in mind, Item Number 3, we work for the Board, we're engaged by you, but obviously we work with management. We had no difficulties in working with management, full cooperation, full access to the information that we did need.

Once again, I think that is very important for you to hear, as well. No disagreements with management.

Moving on to the third page. Any types of items that we have for discussion purposes were resolved with the Supervisor, as well as with the Director of Finance.

Item Number 5 refers to the management representation letter. Once you approve these statements, we will be getting a representation letter from the Supervisor, and the Director of Finance representing basically in a nutshell that everything that we have requested is true and accurate to the best of their knowledge and belief, nothing has been held from us with respect to performing the audit, et cetera.

Item Number 6, no consultation with other accounts, any type of accounting matters. Once again, that is important to know, that did not happen.

And with respect to our retention, there is no unusual conversations with respect to unusual accounting issues or any type of other issues that would -- that would bear weight in our retention as auditor this year. There is nothing unusual in your financial statements where there may be controversy, et cetera.

So overall, obviously as I'm saying here and, as you can hear, there is nothing of any negative nature surrounding what I will call the global aspects of the audit.

This is not the management letter. We will be issuing a management letter, but what I can tell you today is we had no material weaknesses in the internal control structure or significant deficiencies.

Under audit standards, we're required to communicate that aspect to you, as well. We will be issuing a letter with certain control deficiencies that we'll work with management and discuss with them, and hopefully they will be addressing them and responding to them in this coming year.

Any questions about those comments or that letter?

Okay. If none, you do have the draft financial statements in front of you, as well, and once again, I'm not going to go through these in great detail. Obviously, you're familiar with the content, and -- as far as how voluminous they are.

If you do turn it open to page one, I wanted to point out one item to you here that is in the audit report. As I said earlier, this is an unqualified audit report or a clean opinion. As Board members, that's what you would expect to receive, is a clean opinion.

You will notice the date on the top is shaded and it's open. Once again, there are new auditing standards that require us to put -- that date will now be the date which have you approved it, or the later of when it goes through all our internal control procedures. So that date will probably be some point next week. Okay?

That is different than in prior years when that date used to be the last date of field work. The standards have changed in that area, as well. So that is why you see that there. We don't know the date yet.

COUNCILMAN SLATTERY: If I could for one minute, you stated that the date that we approve it, "we" the Board?

MR. STEVENS: What I'm hoping is at some point, you will approve these in the draft version. We do have some internal control procedures left. If there is anything of any substance, obviously we will talk to management about that. I do not anticipate any significant change at all to these financial statements after tonight.

COUNCILMAN SLATTERY: Okay. Supervisor, how do you -- regarding that statement, we will not be meeting again this month. So what is your time frame for this?

SUPERVISOR DUNNING: This has to go through a Town Board resolution. This would be August.

MR. STEVENS: Okay.

COUNCILWOMAN IGNATOWSKI: We might be having the second meeting.

SUPERVISOR DUNNING: Or we could probably -- if this could happen within the time frame of that second meeting. I don't know. I know having read this myself and looked through a lot of this, there is a lot of the information here, and I don't know if -- have you seen this before tonight?

COUNCILMAN SLATTERY: This is the first time we have seen it.

SUPERVISOR DUNNING: So in fairness to the Board, I would think that this is probably going to be better off left, if we can do this, to the August 6th meeting I -- I believe it is, so that the Board has an opportunity to go through this draft. Again, it is quite -- there is a lot here, and I wouldn't want to rush that, and allow you plenty of time to review this document.

MR. STEVENS: That's fine.

SUPERVISOR DUNNING: There's no objection, no concern or anything doing this for the August 6th; is that correct? Then we'll plan on it at that point.

MR. STEVENS: You would approve it at that meeting?

SUPERVISOR DUNNING: We would bring it up. The resolution would be on the agenda at that point.

COUNCILMAN SLATTERY: Thank you.

MR. STEVENS: Good question.

I do want to point out a couple of things.

As you are familiar with these statements, um, a few years ago, I think two or three years ago, under certain accounting rules, um, municipalities were required to put what is called the management discussion analysis in the beginning of any financial statement and the intent obviously was to make the reader of the statement, allow that reader to gain a better understanding of the financials.

As Supervisor Dunning said, if you look at the actual financial statements, there is a lot of information here that is very difficult for the layperson, someone who's not in the accounting world to really understand everything is that is in there.

Working with Supervisor Dunning and the Director of Finance, they have put together the management discussion analysis.

And just to point out some of the key financial highlights, if you turn to page two, right on the top, just a couple of the key items.

During 2007, as you can see, the first bullet, the Town's net assets or the difference between the assets and liabilities on a government-wide basis, which means including all your capital assets, as well as debt, your net assets increased by \$1.7 million during the year. And then obviously you can see there they recite a couple of the major reasons for the increase of \$1.7 million, an increase in property tax revenue, as well as a corresponding decrease in expenses from year to year.

As well as grants and contributions, decreasing because of just the timing of certain projects.

At the end of the year, the primary -- your assets did exceed your liabilities by, as you can see -- by \$31.1 million. Now, that is very deceptive, 31 million. A large portion of that obviously, as you can see, 24 1/2 million is invested in infrastructure. So those are net assets, obviously not available for spending. They are tied up in bricks and mortar, basically equipment, vehicles, et cetera.

Your Town -- the Town's debt did decrease by \$315,000, which is just the normal payment terms of the outstanding debt and there was no new borrowings in 2007.

And your funds, once again, referring not to what I will call the government-wide statements where you're looking at all of your capital asset activity and debt, your funds did report an increase in fund balance of \$540,000. That is looking at your general fund, highway fund, sewer, all those specific funds, special revenue funds. That -- those did have a corresponding increase of \$540,000, as well.

So from a financial statement basis, some accumulation of net assets and fund balances during the year.

All of those -- all of those, the information there on those financial highlights is explained in more detail in the body of the -- I'm sorry, in the body of the management discussion analysis.

Once again, in the interest of time, I don't really think it is worth spending that time here. Those are the real key items there that I -- that really touch upon the key -- the key financial items for 2007. Okay? So if there is no other questions, I think the -- I think it is a good idea to give you a -- a month to review the statements and then come forward with a resolution in August for final approval.

At that point we will definitely be ready to issue final because all our internal control procedures will be performed, as well.

In the interim there, I'm obviously available for any comments, questions, as I'm assuming Dianne (O'Meara) would be available, as well, to comment. Feel free to call me or e-mail me or whatever.

COUNCILMAN SLATTERY: Supervisor, actually I do.

I know this comes up, being the liaison to the Library Board. How much was reviewed of

the Library, their budget, that information, auditing of the Library?

MR. STEVENS: The Library is not included in the financial statements of the Town. They're not considered a component unit because of the separate status that they have, the separate 501-C3 status, the separate Board. They are not included in these financial statements.

I think the Library does engage another accountant for its own audit, separate audit.

COUNCILMAN SLATTERY: Correct. And this is something that we hear time and time again. I know they talk to Dianne (O'Meara) and so forth, and it's a sticky point on they're part of the Town, not part of the Town. The Town pays their bills, you know, and so forth, so it's -- there is a relationship there. It is separate, but the same. So -- a little -- I think if -- a little explanation on that. I mean, I think it would be very helpful for the community, for the Board to understand.

MR. STEVENS: The basic -- that -- the basic decision was made years ago that the Library would not be included in the Town's financial statements because basically you -- you do not have significant responsibility. You have the liaison, but they have a separate Board acting as the governing body, the decision maker of that organization. You are acting more in, I will call it, an agency relationship. You -- you're cutting checks, but you're not making the decisions for that group. And a decision was made probably four or five years ago that they would not be included as a component unit of the Town's financial statements.

COUNCILMAN SLATTERY: Which I think is very helpful. Understanding that, I -- you know, with that relationship, I understand I -- I just think -- thank you for the clarification.

MR. STEVENS: Thank you.

SUPERVISOR DUNNING: Any other questions?

3. Presentation by McCord Baker Park Final Plans Update

SUPERVISOR DUNNING: Our next presentation with Baker Park, Doug (McCord) McCord, who is our consultant for the Baker project.

MR. McCORD: Good evening. My name is Doug (McCord) McCord with McCord Landscape Architecture, and we have been busy working on plans for Baker Park. And we're calling it the Baker Park Improvement Project, and it includes improvements that are based on grant applications done to the State. There is an EPF grant involved and money from Senator Alessi's office to fund the project.

And I'm usually standing right next to my plan, so I'm going to be looking over there, and I'm just going to be talking as I'm going through this.

The -- the park plan involves the area essentially around the existing house, which I'm sure you're aware will be taken down, as well as the two or three other small structures. Well, one of them is a large barn, but all of those will be taken down and we're hoping soon as part of the Fire Department's practice work on those buildings and clearing that -- those buildings will be out of the way to make room for our improvements.

Um, the entrance road would be improved. It's gravel right now. We would widen it a little bit and make it more of a two-way road. It stays pretty much where it is.

The parking lot also would be improved in the same manner, larger and configured so it can -- be put in about the same location and shape, but -- so that it can accommodate more vehicles for parking.

The primary feature that is the most costly part of the project is the restroom picnic shelter and storage building.

Um, and I hope you have all been able to take a look at some of the drawings.

David (Dunning), do we have any of the drawings for the -- the perspectives?

There you go.

Those are the architect's renderings. We have been working with Martin Rose Associates Architects. They have been doing a great job on the building. It involves a storage on one end where you see the double doors there, and two restrooms that would be fully equipped as part of this project, and then all of that is under one roof along with the picnic shelter, which we have room for at least four, probably six picnic tables under that roof. So that is part of the project, and...

In addition, we have connecting walkways, concrete from the parking lot to the shelter. You don't really see it on that drawing of the building, but the site plan would show you the connecting sidewalks and the curbing.

We're proposing lots of trees and some landscaping around the park. The trees and landscaping is part of the next phase. We wouldn't have the funding right now to do that, but we have a design in place that will -- hopefully, we can start working on in the next phase of the development of the park. You're also seeing -- planning for the future as far as a lodge, which is another item that was shown on the Master Plan for the park, approved by the Board. And a butterfly garden. The -- the area to the front, towards the road, between the road and the parking lot and near the stream. You can see the stream running off, the blue, to the north -- northwest of the parking lot. So that -- that is part of the funding now we're asking with our quotes and the bidding that we're hoping to do now in the next two to three weeks to get kind of an alternate price for doing that the butterfly garden in addition to the other items that are in the scope of work at this point.

Another major item is septic system, which we're showing as lawn because that is what it will look like. As -- if you're out there, looking at the site, it's an all new septic system. The existing septic system was actually buried under the parking lot, and destroyed, and so we're able

to talk the Health Department into just letting us build a new septic system in the location here (indicating) you're seeing there.

There will also be a new water service, all of the way into that new building, new electric service, and telephone, and so the -- the building would be pretty much ready to go when it's completed. Um, that part of the project is part of the -- the Alessi funding, and it needs to be completed by November 1st, so that's why we're in kind of a time crunch right now to get these plans out to bid, have a contractor selected and on board to start the project.

COUNCILWOMAN IGNATOWSKI: You had mentioned telephone. Is that something we see in other parks? We have?

SUPERVISOR DUNNING: I don't -- Mike (Curley), do we --

MR. CURLEY: We do have phone lines in most of our parks, Davis, Union Station, just for the event that we need to set up an emergency phone, but also thinking down the road, phone lines can be used for possible thermostats and things like that, so it is just something that right now most likely we don't have a phone there, but there may be a need for it down the road.

COUNCILMAN SLATTERY: Were you all set? Time for questions?

MR. McCORD: I'm trying to think if I needed to mention anything else.

Oh, also, included in this part of the project, we would have a trail -- not really a system, but a looped trail all of the way around the park. I'm sure you're aware the park is used essentially as a disk golf course with 18 holes, disk golf, and we -- we -- we're trying to make the whole park more accessible to the general public and Town residents, and so the idea there was to -- to create that trail, looped trail, and along that trail, there would be seating area -- a few seating areas with a bench and some landscaping and have kind of a rest stop along the way so people can just kind of enjoy a meeting out in the park.

And I think that's -- any questions? So far?

COUNCILMAN SLATTERY: Actually, I do have -- Supervisor?

SUPERVISOR DUNNING: The only thing I wanted to just add, if I might, one of the things as we sat down and gone through the proposal and worked through this process, we're trying to anticipate as much as possible as far as future add-on elements, electricity, water, things like -- simple as drinking fountains or running electricity to another area of the park. We're trying to project some of that a little bit and have conduit run where we can have water lines run so the actual construction that goes on here will not have to be disturbed for some other future add-ons and future elements of this. So that is something that we have spent quite a bit of time looking at, making sure that we're covering that.

COUNCILMAN SLATTERY: One thing I know when Mr. Curley originally approached the Board talking about the proposal and so forth, one of my items was a playground. I don't see it on here or a location in the future. Are we restricting ourselves? Are we not planning on one?

MR. McCORD: No. We have those in the plans. I -- I kind of limited what we're showing as far as future development of the park, but we did -- we would like to see the playground in near the buildings there. You see the shelter and the future lodge, and -- yes, David (Dunning) is circling the area that we're hoping to use for the playground. It -- there is plenty of room right there. It is actually an overgrown treed area right now, kind of a -- a brushy area that will be good -- and it is right near both of those structures. That is what we're hoping --

COUNCILMAN SLATTERY: On the overhead, it says, "future lodge." On the plan that I just received it says, "lodge." It doesn't have future on it. Is it going to be future or is it going to be --

SUPERVISOR DUNNING: It is future.

COUNCILWOMAN SPERR: It is the existing lodge, isn't it?

COUNCILMAN SLATTERY: There isn't a lodge.

MR. McCORD: There is no existing lodge out there. There is an existing house that is being removed, but it's a future lodge.

COUNCILMAN SLATTERY: Okay. Thank you. 2400 square foot. Lodge 2400 square feet.

MR. McCORD: Right.

COUNCILMAN SLATTERY: So that is in a different phase?

MR. McCORD: Right.

COUNCILMAN SLATTERY: How many phases are there?

MR. McCORD: Right now, we just have one phase, and then everything else is in the future, and depending on what kind of funding we're able to bring in, um -- what kind of sequencing that comes in, then we'll be able to figure out what kind of funding -- or phasing.

SUPERVISOR DUNNING: One of the things we looked at when we put out this proposal and we wanted to make sure what we had is a plan for the future, that we didn't just get a plan for the here in now and today and what will get involved today. Certainly we have financial constraints for this project, but we wanted to make sure that we had plans that we could use later on for our own use and come back and say, "Here is the plans. We have them. No, we can go ahead and do our future developments to the property."

That is what you're seeing on a lot of this, too. I think you will also see part of it might even show a future parking lot on one of those.

Is that on the diagrams?

COUNCILMAN SLATTERY: Yes, it is future expansion patching.

SUPERVISOR DUNNING: So we gave some thought process to that. We wanted to make sure we had the plans on there.

MR. CURLEY: Supervisor, could I jump in? We had discussed Phase 1, Phase 2, Phase

3, and we haven't categorized those just yet because what is going to come into play is once we start getting the bids back and see how much the dollar amount is actually going to be, and also once we work with Dave Lindsay in the Highway Department, see what they can actually do, we may be able to accomplish a lot more in Phase 1, if you will, than we thought.

So once we, I guess, determine what an actual budget is going to be, from there we can determine if we're going to have Phase 2, Phase 3 or 4. Hopefully it is only Phase 1 or Phase 2. That has come up in conversation.

COUNCILMAN SLATTERY: Not if you're going to pave that parking lot, with the cost asphalt.

Right, Mr. Lindsay?

So we're not sure then what items would be in the next phases?

MR. CURLEY: No, not at this point. The thing we do need to address, like Doug (McCord) (McCord) mentioned is the lodge, the storage facility, bathrooms, the parking area and the septic. Those are the three areas that are covered by the Alessi grant which is set to expire in November. The remaining funds are from coming from the matching portion from Park and Rec Reserve Fund and then the EPF State Fund. That we have until next year to expend that money. So the time crunch really is on the three elements that Doug (McCord) has presented tonight. And then again, once we get the dollar figure for those projects, then we'll determine if we can do more this year or wait until next year or possibly go after some additional funding, as well.

COUNCILMAN SLATTERY: The storage building, looking at the -- the size of it, what are the plans to that -- to be utilized for?

MR. McCORD: This --

SUPERVISOR DUNNING: I could be wrong, but I think Mike (Curley) is the one that will have to answer that. What we're going to use that storage facility for.

MR. CURLEY: At this point, it mainly would probably be some recreation equipment, some senior equipment, because we do utilize a small portion of the existing house for some of our equipment out there. I was asking Doug (McCord) to step up because I'm in the -- Doug (McCord), what is it area footage of that storage facility?

MR. McCORD: It's about 170 or 80 square feet.

MR. CURLEY: So mainly it will be utilized for probably some seasonal equipment, seasonal recreation supplies, things like that.

Most of the parks equipment will be stored at either the parks facilities or at the highway garage. So it's not a large storage area. It may be something that we can utilize if we start doing a program out there, as well, if we start doing some disk golf or cross-country skiing, we can utilize it for that type of storage.

COUNCILMAN SLATTERY: I have a couple of questions, but if anybody else has --

COUNCILMAN SCHULMERICH: Finish up yours.

COUNCILMAN SLATTERY: Maintenance, as it is right now, I believe we maintain that park a couple times a year.

MR. CURLEY: That's correct.

COUNCILMAN SLATTERY: What are our plans for maintenance on that facility once these improvements are made?

MR. CURLEY: Well, looking at the -- the plans and in conversation that we have discussed, there really doesn't seem to be that much that is going to come up. Because they will still be going out and mowing down the fairways and doing their monthly or bimonthly maintenance, whatever it might be. But because of the walkways, it will be stone dust. There won't be a great need to go out there and maintain that. Periodically they have to go out and do in some weed whacking to keep the sides down. The flower gardens, you know, mostly likely will be wild flowers, things that will take care of themselves, but we have also talked about possibly bringing one of the garden clubs to possibly maintain that or the Senior Center to do that. So there is not a great deal of additional maintenance that will come into play with this because we're not talking about ball fields that need to be maintained on a weekly basis for kids to play on.

COUNCILMAN SLATTERY: So you said we're going to maintain it twice a year. Is that mowing? What type of maintenance are you referring to, and then looking at the fairways for the disk golf in the areas where it becomes overgrown, are we going to keep that shorter, or is that going to continue -- is that going to grow?

MR. CURLEY: Let me clarify. Whatever our current maintenance procedures are out there will most likely stay the same. We have talked with the disk golf. They like the way it is maintained. They like the rough. They like the fairway length. I don't see any additional maintenance coming or changing with this project.

COUNCILMAN SLATTERY: And then one of the concerns before with the septic was vehicles driving over it and so forth and the location of it. What is going to prevent people from driving over the septic system once the improvements are made?

MR. CURLEY: That obviously hasn't been discussed. With the roadway going -- I would hope that wouldn't be a problem. The main time that came into a problem is when we had the haunted hay ride, when we opened up the access to allow for the overflow parking to drive through there. Without having the haunted hay ride and the haunted house out there, that is an issue we won't have.

However, it is something that we may need to address. We can use the wood guard rails. There is it possibility of like the rocks at Davis Park. We have some options, but we have not discussed it yet.

COUNCILWOMAN IGNATOWSKI: Actually Mike (Curley), you probably should consider that for when there is disk golf tournaments because I'm looking where the septic system is being proposed and I do know people park right through there, the driveway, right along the grass right there. So you will have to somehow delineate that is not a parking area. Although once this is paved up here there, will be more parking spaces than what currently exists.

Another thing I had was the Adopt-a-Hole program. I know that was mentioned. Is that going to also be utilized for maintenance of the holes?

MR. CURLEY: Yes, it will. That's something -- for those who don't know, Ginny (Ignatowski)'s son did a great Eagle Scout project for the Town where he did an Adopt-a-Hole. And we put together a package -- or I should say Jon (Ignatowski) put together the package where once this park is developed, like it should be, start promoting that program and trying to get local clubs, local businesses to actually sponsor a hole and they would actually be responsible for the maintenance of those holes. And we have kind of put together a standard so they can't just go out and put pink flamingoes on it. It will have to be something kept up to a standard to the Town, but again, it would allow for outside groups to utilize that to have the vested interest in the facility. That is something as we move down the road we'll be taking into consideration.

COUNCILMAN SLATTERY: What is the matter with pink flamingoes.

MICHAEL CURLEY: Nothing. You can have mine. I will bring it over to your house.

COUNCILMAN SCHULMERICH: The septic system, will they be above ground system or below ground?

MR. McCORD: It is a -- what you call a raised bed septic system.

COUNCILMAN SCHULMERICH: The parking issue, for sure.

MR. McCORD: I know it is sand above, and it's a very dense clay soil out there. We did perk tests and everything that is required.

COUNCILMAN SCHULMERICH: Will they have the typical PVC exhaust or is that more for environmental?

MR. McCORD: I don't think so. That more like a landfill.

COUNCILMAN SCHULMERICH: The stone dust trail, um, living here Davis Park for as many years as I have, um, observing how the trail is now used that has been paved versus the cinder trail that was there beforehand which was very poorly maintained and very difficult to on without getting cinder in your sneakers, um, I know asphalt is expensive, but if we're going to put a walking trail in, I hope we put one in that we can actually use. So whatever the material we're putting down there, I hope has a binder associated with it that is literally usable for a walking trail. Just input for your consideration.

I agree with the phased recommendations. I know the work we did earlier on you were looking at Phase 1, 2, 3. I think the degree to which is -- one of the things we talked about during the master plan session is the degree to which we can bring forward concrete recommendations so we know exactly what we want to do and when we want to do it, then we can seek the funding. So I recognize what we're doing in Phase 1. I think it is exactly the right thing to do and I hope what follows on very soon after that is the clarity around what Phase 2 and what Phase 3 might be and what money might be needed for that so we can start the lead work for that. We all know that is going to take time. It is not something we were asking you to do. I'm just being supportive of the fact that if you wait for the Town Board to tell you what Phase 2 and Phase 3 will be, it is probably not going to happen anywhere near as fast as if your group comes back to us and recommends what Phase 2 and Phase 3 should be and what the cost should be. So I'm very much a proponent of that.

Question around security. Once we get this -- these improvements made, will we have gates at the front similar to what we have at Davis Park with security so that after hours if the park is locked up, you can get access?

MR. CURLEY: We have discussed that. We most likely will have a gate in the area. The security in this area isn't that great a concern just because it's not like Davis Park where you will have a lot of foot traffic. They would have to actually drive out there, and with vehicles passing through there, with the security in the off season, making periodic checks out there, I may be naive, but that is something in conversation we don't feel it will be that major of a concern, but we'll have some steps to alleviate any possible vandals, one being a possible gate. Two, surrounding the picnic pavilion, we'll have some low-level lighting to act more of an illumination and not necessarily people congregating there, but if people drove by, you could see if someone was out there.

COUNCILMAN SCHULMERICH: The concept on a future lodge, I know that is a later phase, but are we thinking something like what we have at Union Station in terms of it being enclosed with a kitchen, or is it envisioned to be open air?

MR. CURLEY: Absolutely enclosed. I can tell you from Union Station, we're rented every Friday, Saturday and Sunday throughout the summer, and you know, during the summer a lot of times during the week, as well. Is it a good revenue source for the Town but also a good service for the residents. It is something that I think is definitely an enclosed lodge with a kitchenette.

COUNCILMAN SLATTERY: It is just a little larger than Union Station.

MR. CURLEY: Maybe 81, 82 people.

COUNCILMAN SLATTERY: Having rented it, I know.

COUNCILWOMAN SPERR: I had a couple of questions relative to the design and the layout. When we first saw the drawings that were proposed to us, it was proposed that this was a

conceptual sketch and in discussions I had had, I was under the impression or thought that a different design for the parking lot was going to be considered, and what I had in mind, if I can convey that, would be instead of having the parking lot up the driveway where it is currently located, if you look at the drawing, it would be where it says "5 foot wide stone dust trail," inside that area right there behind the hedgerow of trees so the parking lot would be in that strip, and what you would present people as they drove into the park is where the current parking lot is on this drawing would be your future lodge and it would help -- and then the playground could be right next to it. I thought you were going to try to consider something like that.

Doug (McCord), do you remember -- did you even consider a different layout to this or just the one that had been proposed?

MR. McCORD: We considered some different locations. My own instinct is to put the parking as close to the street as possible so that you don't have uses and playgrounds and things that might --

COUNCILWOMAN SPERR: Then I described the wrong spot. It was actually the hedge row -- I'm challenged, directionally challenged. I meant the section along the road, behind -- there is a hedgerow there or something so actually the parking lot you would pull in, it would be right to the right.

MR. McCORD: We don't have enough room to the right. If you're talking about using the existing entrance, to the left there might have been enough room, but then as you're passing by, that is all you see is that parking lot, so --

COUNCILWOMAN SPERR: So you had trees there. Okay. That was one thought that we had, because it would give you a really nice look to the whole property when you did it. I just didn't know if you had room for it or if the septic system was not going to be able to accommodate it anywhere else other than where you had it.

MR. McCORD: That is kind of a major restriction. That is the best location for the septic system by far.

COUNCILWOMAN SPERR: Okay. The other question I had was surrounding the butterfly garden. You mentioned earlier in your comments you were going to put that out for bid.

MR. McCORD: Yes.

COUNCILWOMAN SPERR: CHECK for design and implementation of it.

MR. McCORD: We have a design. There is a design in the drawings.

COUNCILWOMAN SPERR: CHECK that is what it looked like to me. To the bid -- to have it put out to bid, would you have someone plant that?

MR. McCORD: To install that, right.

COUNCILWOMAN SPERR: Because we have quite a bit of talented staff and volunteers for the Garden Club. I know Chris (Karelus) does an excellent job for the Town. And if you were looking to save resources, I would have you -- I haven't talked to Dave about this -- my own personal opinion, but I do belong to a Garden Club where there is quite an extensive amount of volunteers from the Garden Club. If you were looking to save funds, that is just one way, kind of a comment.

MR. McCORD: It's a big area, a big garden, and it's in there as an alternate, so that leaves us the option if we do get a great price for putting in the garden, then that is one thing. If -- or if it --

COUNCILWOMAN SPERR: Got you.

MR. CURLEY: If I can add one thing on that.

Another thing we discussed with this project is we didn't want -- and this is -- with all due respect, we did not want another Union Station project. That project is still going on, eight years, nine years. We want to try to get this accomplished. We talked about it in our meeting the other day with Dave (Lindsay). If his guys can do it, great. But at the same time, Doug (McCord) convinced us let's get a price for this. It may come in more affordable than we thought, and get it done, rather than trying to see if Dave (Lindsay) can fit his crew into doing it. So it is something really we're serious about completing this project and looking at all options to get it done.

SUPERVISOR DUNNING: Before we move on, there was a previous member, I believe, of our Planning and Zoning Boards that has recently passed away. I'm not as familiar with this gentleman as perhaps Mary (Sperr) or Ginny (Ignatowski) are. If you would take a moment, kind of one of you let us know what --

COUNCILWOMAN SPERR: I can probably help you with that. I have got an e-mail from Louise Hunter, her husband Bob Hunter passed away on Monday. Bob (Hunter) had been on both the Planning Board and Zoning Board for the Town, and he is a -- an excellent, excellent gentleman. I will miss him dearly. He is just a wonderful guy, but she had sent word that he had passed away.

They will have some -- a viewing and they will put a DVD together, a slide to have that for display and it will be Saturday. I think they will have something in the paper in regards to the details and the times at Leo Bean. So it shouldn't go without being duly noted.

Thank you, David (Dunning).

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. Four speakers addressed the Town Board on various subjects, and the Public Forum concluded at 8:22 p.m.

#### **TOWN BOARD LIAISON REPORTS:**



Conservation Board Report by Virginia Ignatowski:

COUNCILWOMAN IGNATOWSKI: Several Board members performed a closer inspection on the Lexington Avenue dead trees, and Dave (Lindsay), I apologize. I was going to give you a call. I forgot this week to give you a heads-up on this. They found and they determined that the trees did parish because of -- weed whipping done too close to the trees basically killed them. They felt this is also the case in several other locations. They understand that probably you're having some of the college kids or high school kids going out and doing some of this work, and they would like to make some recommendations that they get some sort of training of how to do that particular job so that they don't kill the trees.

They also in that same vein would like to see some training from the Town on how to prune trees. Not that we do a lot, but the -- they have witnessed some pruning done that is not to the health and benefit of the tree. So I don't know if that is something with Terry Tree or even somebody -- if there some training that is out there, I guess, by the State about landscaping. Even if it is one individual that goes to the training and brings it back to the parks, that they just -- they hate to see these trees, um, parish as they're not cheap to replace.

They also had a recommendation for weed killer that could be used around the base of the tree, the mulch, but I think you will probably run into the chemical training you would need and I don't know if that will be a viable option.

The Board reviewed the Planning Board agenda. They were very pleased with the preliminary plans for the Wegmans office proposal. They say they always do a fantastic job. They are looking forward to see the completed checklist of the planting legend.

(Following comment made during the Drainage Report)

Oh, one last thing they -- Conservation Board, bouncing back to that, I had the Baker Park plans with me at that meeting, and did share that with them since there was a number of plantings in there, and they are were extremely impressed with what was on there.

I think McCord already left -- oh, he is in the back. They were looking for a blowup, because they say their eyes aren't that good to read all of the plans. I don't know if they got that from him or not, but they said it was a well-thought-out plan. I just wanted to pass that along.

SUPERVISOR DUNNING: Doug (McCord), did we get a copy for our Conservation Board of the landscape plans?

MR. McCORD: Yes.

SUPERVISOR DUNNING: We did get a bigger copy for them?

MR. McCORD: Sure.

COUNCILWOMAN IGNATOWSKI: They're looking for a blowup one.

MR. McCORD: The butterfly garden?

SUPERVISOR DUNNING: The trees. The plantings, the trees.

COUNCILWOMAN IGNATOWSKI: I know the difference between an oak and maple, so I turn it to them, but I don't know the difference on all of the rest of the stuff.

SUPERVISOR DUNNING: If we can get a copy. If we haven't already, if we can get them a copy.

Drainage Committee Report by Virginia Ignatowski:

COUNCILWOMAN IGNATOWSKI: A resident came again to this meeting. They still -- they were looking for an update on their problem, and several committees members are going out actually this evening to take a look at his problem.

All of the leaf and debris pickup is now finally complete, and ditch cleaning efforts have commenced.

They also reviewed the Planning Board agenda, as well.

Planning Board Report by Dennis Schulmerich:

COUNCILMAN SCHULMERICH: Planning had two meetings over the past month. Um, both fairly brief.

One involved the conditional use permit for an auto repair and tabled applications, and I will defer to the meeting notes for the specifics.

Zoning Board Report by Dennis Schulmerich:

COUNCILMAN SCHULMERICH: Zoning had a very lengthy meeting. I think there were more than 12 applications on it, and -- and they were including a combination of a couple applications, shed variances, lot line variances and animals. Again, I will defer to the meeting notes for specifics.

Architectural Advisory Report by Michael Slattery:

COUNCILMAN SLATTERY: Meeting next week -- or a couple weeks, actually.

Library Board Report by Michael Slattery:

COUNCILMAN SLATTERY: The Friends' book sale is going to be August 14th from 5 to 7 -- or excuse me. The book sale, there is a preview for -- the Friends' one is August 15th, 9 to 4, and the sale is open to the general public.

Then also the audits report, the form 990 has been completed and is being filed with the

IRS.

And then if -- if anyone has not gone on the library's website, I would recommend that you do. This is a virtual tour. You go on, and it takes you through the library. There is different photos. I believe there is a number of them. I want to say about 19 photos, so it just shows the library from different aspects. They did -- they did a good job with that.

Then also we had Jenn Lindsay and her staff visit over thousands students in the area schools, and I just want to remind them about the upcoming summer reading program and the success of the program in the past. So that's all.

Historic Preservation Board Report by Mary Sperr:

COUNCILWOMAN SPERR: Yes. Thank you, David (Dunning). They met on June 9th, and the majority of their meeting was making arrangements for the participation in the Chil-E Fest, and I would like to thank Bonnie (Moore) who is in the audience tonight for garnering all of the troops together. They had a wonderful time. They rode in five historic cars for the parade.

They participated in setting up a display in the Senior Center of the -- a model of the old Cobblestone Schoolhouse and the Town Hall and they had a slide presentation of historic homes throughout the Town.

I would like to thank them for their participation in that.

During the meeting it was also discussed that they would dedicate the Cobblestone School book that they are working on right now to Barbara Ireland, and that will be in the cover of that book.

I'm trying to think what else was discussed.

There will also be a presentation of the Preservation Award that is being given to Stryker Cemetery on Saturday, July 19th at 11 o'clock in the morning at the cemetery, and they will be displaying and unveiling a new sign that is being put up, so you can thank -- representing Stryker Cemetery is Nancy Austin of the Preservation Board and also Peter Widener, previous Chair and Historian.

Those are the highlights of that meeting.

Traffic Safety Committee Report by Mary Sperr:

COUNCILWOMAN SPERR: Yes, Traffic & Safety. They met -- gee, I have the date here. July -- June 5th, and throughout the whole business they were able to knock off quite a few items on the minutes. Our meeting minutes are down to like a couple pages.

But they discussed the State widening two lanes southbound traffic and a signal upgrade on 259.

So just to report back, we had planned to schedule a meeting with Kevin O'Buckley. We did. Both David Lindsay, David Dunning and myself went to visit Kevin O'Buckley, and we were able to meet with two of the designers of the Union Street and Chili Avenue intersection. At that intersection, their designs are not complete. But what they will constitute is a flattening out of that swale that is there that most of the travellers go over and go around heading straight down to make a right-hand turn. They will flatten that out and we'll be able to have a dedicated left-hand turn.

We asked that they consider moving the telephone pole, because our fear is that as you progress beyond and head straight down Union Street, that you will hit that pole because you won't see it at night. And they are going to take a look at other safety issues there.

It was also discussed with Kevin O'Buckley and his team that the Town was discussing sidewalks on Union Street so that their design would be -- designs would be aware of the possibility of sidewalks and that their work would not impede our progress in that area.

So we had a very good meeting.

It was a chance to introduce David Lindsay to the people he would need to be in touch with and to introduce our Supervisor to Kevin O'Buckley, so I thank both David (Lindsay) and David (Dunning) for coming. The two Davids always cracks me up.

So that is an update on that one. The other highlight was a discussion on the Microtel. They reviewed the updated plans and have concerns, still have concerns about enough room for fire trucks to make their way around the entire building. There was a discussion about railroad tracks on Paul Road, and it was reported that they will be repaired this summer.

There was to be a meeting with The Fathers House. I'm anticipating that -- to discuss the traffic guard -- I'm trying to think -- that's been out as a crossing guard when the masses are let out with the people exiting from the church. And no meeting was held, but the Church has made a statement that they will no longer have someone in the street directing traffic because there has been a lot of concern about safety for that and this year we'll monitor the situation.

Slow down signs, some of those neon signs you have seen posted in several locations around Town are continuing to be installed for two-week periods. The last area they were put, the no speeding signs and slow-down signs were in place at Rio Grande Drive near Trestle Tree Lane over in Park Place, or Union Station.

There was also a comment about lighting on Westside Drive at Roberts Wesleyan College, and Dave Lindsay will contact the School and the Town of Ogden about that.

One of the new items that was brought up, um, was introduced by myself. I had had a discussion with several members, just casual discussions and the Supervisor following up that discussion with Kevin O'Buckley. It was suggested to Kevin (O'Buckley) when we discussed sidewalks that we would wait for the following year to submit for a grant because we didn't feel we had enough time to do it that we should go ahead and submit a grant application to help. It's a

Transportation Enhancement Program funding, that we should submit an application for this because we would have to wait another two years.

So Dave Lindsay and I took it upon ourselves to put together one for the Town. So we submitted on behalf the Town this grant requesting \$297,000 to fund sidewalks Union Street. They would be on the east side of Union Street, beginning at Byrne Dairy, and running all of the way down, about 3200 linear feet all of the way to connect up to the sidewalks are that are -- begin at Park Place Subdivision. This also is directly across from the entrance to Black Creek Park.

Um, because of the shortness in time, we did not have enough time to add some other areas that we feel really deserve to have sidewalks on them. So what our plans are in the future, I have discussed this with David (Lindsay), is when we prepare the Committee and the topics for the Master Plan or the Comprehensive Plan, that we hope that sidewalks will be discussed for that, and that our hope will be once that has been discussed, that then another grant can be submitted in two years from now, 2010, for additional monies from the Transportation Enhancement Program.

But notifications whether or not we're approved for that grant don't come out until December. As soon as we hear, I will keep you posted, but a highlight of this, we received 18 letters in support to submit with our grant, so I thank everyone would wrote letters of support to help us in our efforts to try to receive funding for this.

This -- these sidewalks, um, will not be constructed until -- no plans will be made until we find out if we have funds for this. I heard a resident earlier say that we make plans without -- we spend their money. So we are trying to put in for our share to help the Town support safety for the pedestrians and the residents that live on that road. If you have ever driven down there in the evening, you will see kids coming from the soccer games walking along the road, those kids riding their bikes, teenagers walking three abreast, and some of them are crossing over the white line into the lane, and I have seniors walking their dogs down Union Street. It became a definite safety concern.

Just to let people know the other reason for the timing of this, Monroe County will be reconstructing and redesigning the Union Street bridge over Black Creek, and we hope that they can accommodate sidewalks when they do reconstruct that bridge.

COUNCILMAN SLATTERY: Great job with that grant, Mary (Sperr). I know you were very instrumental with David (Lindsay).

COUNCILWOMAN SPERR: Thank you for your letters of support.

SUPERVISOR DUNNING: Actually, I believe didn't you, Mary (Sperr), get confirmation that has been received?

COUNCILWOMAN SPERR: Yes, I did get that.  
Thank you.

Parks and Recreation Committee Report by David Dunning:

SUPERVISOR DUNNING: Parks and Recreation was scheduled to meet this evening. That meeting got canceled.

Plumbing Board Report by David Dunning:

SUPERVISOR DUNNING: Plumbing Board did meet. Basically went over the -- a recent test that someone had taken, talked about (inaudible) vents a little more and talked about some code books that they're trying to get a hold of.

And also, they're still working on their test.

Other than that, there is nothing more from plumbing.

Town Center Development Ad Hoc Committee Report by David Dunning:

SUPERVISOR DUNNING: Town center Ad Hoc is -- nothing happening with that yet.

**MATTERS OF THE SUPERVISOR:**

New matters:

1. Road Closure Portion of Beahan Road, between Chili Avenue & Fisher Road on 7/23/08 for one week.

SUPERVISOR DUNNING: We received an announcement that Beahan Road will be closed between Chili Avenue and Fisher Road beginning on 7/23 for one week. That's to do some repair work, as I understand it, around the tracks, railroad tracks, so that road will be closed.

COUNCILMAN SLATTERY: Actually, I have one additional. I am not sure if the Town received it yet, but Attridge Road, for you people that utilize or try to -- with the Attridge Road bridge being out, now CSX is going to be closing the other portion of Attridge just to the north of there by Bromley for about a week.

SUPERVISOR DUNNING: Oh, I didn't get that.

COUNCILMAN SLATTERY: Oh, we'll, they're -- they're jumping through hoops to get the notifications out. That is going to -- I believe tomorrow it is going to be starting.

Correct, David (Lindsay)?

DAVID LINDSAY: That is actually the first I have heard of it.

COUNCILMAN SLATTERY: Which was news to quite a few of us. Which is going to be a major inconvenience.

SUPERVISOR DUNNING: Thank you for sharing.

COUNCILMAN SLATTERY: And they're not very cooperative when it comes to other roads that are closed or other portions and detour routes.

SUPERVISOR DUNNING: They do what they want to do when they want to do it.

COUNCILWOMAN SPERR: Sounds like.

Pending matters:

1. Chili Center Development Ad Hoc Committee
2. Comprehensive Plan

SUPERVISOR DUNNING: We still have the Chili Center Development Ad Hoc Committee and the Comprehensive Plan. The only reason I talk about this jointly -- or bring this up jointly, is we are having interviews tomorrow night that will address both of these. We really want to make sure we're getting this right. We want to make sure we gave the opportunity to all of the residents who expressed an interest in especially the Ad Hoc Committee to give them an opportunity to come in and do an interview, so we will be holding some interviews for that tomorrow evening.

So we will -- again, the intention is to schedule a second meeting to work on these and hopefully get these finalized at this point.

COUNCILWOMAN IGNATOWSKI: Actually, that would be a good idea.

SUPERVISOR DUNNING: As far as the second meeting, um, to address the last two resolutions that we have on this evening's agenda that we're not going to hear tonight or address tonight, because of those interviews we're going to do tomorrow, is there a time that is -- works for everybody to be able to meet, whether it's morning, noon, evening? Weekend? Whatever? I hesitate to say "weekend," but -- but any other time that works beneficial that we can get together within the next week to go ahead and address this?

COUNCILMAN SLATTERY: Didn't bring my calendar.

COUNCILWOMAN IGNATOWSKI: Evenings are okay with me.

COUNCILWOMAN SPERR: I would like to avoid Wednesday evening. I have commitments coming up the 16th and 23rd and Saturdays, but anyone free on Tuesday?

COUNCILMAN SCHULMERICH: I'm out of Town Tuesday through Friday.

SUPERVISOR DUNNING: Monday? Monday we can't.

COUNCILWOMAN SPERR: Already committed.

SUPERVISOR DUNNING: If we can get it in early the following week, I'm okay.

Are you back?

COUNCILMAN SCHULMERICH: I'm back Friday.

COUNCILWOMAN IGNATOWSKI: The 21st.

COUNCILMAN SCHULMERICH: In the evening?

SUPERVISOR DUNNING: Doesn't matter. Whatever works best with everyone.

COUNCILWOMAN SPERR: That avoids your conflicts. Monday the 21st?

COUNCILMAN SLATTERY: I don't have my calendar with me.

COUNCILWOMAN IGNATOWSKI: Well, we have at least --

COUNCILMAN SLATTERY: Right. Go ahead. We'll take it off line and we'll see what is available, and then you can get the notice out as soon as -- if we can just get back to each other tomorrow.

COUNCILMAN SCHULMERICH: Tentatively schedule it for the 21st, and we'll get confirmation if we need to change it.

SUPERVISOR DUNNING: Tentatively for the 21st. In this -- in this meeting room, um, same time, 7 o'clock, or is earlier better for anybody?

COUNCILWOMAN SPERR: I never know, because of my job, and I work out in Penfield.

SUPERVISOR DUNNING: So we'll say 7 o'clock.

Tentatively scheduled for the July 21st, 7:00 p.m.

COUNCILMAN SCHULMERICH: Pending input from Mr. Slattery.

SUPERVISOR DUNNING: Right.

COUNCILMAN SCHULMERICH: I can -- if it turns out the 21st isn't good for Mr. Slattery, I am happy to provide other dates. We can communicate on that.

COUNCILWOMAN SPERR: We can find another day. I would like to be able to accommodate everyone if we could.

SUPERVISOR DUNNING: Actually, approval of the minutes we have meeting minutes from May and June. Those will stand approved at the end of meeting unless you have some changes.

SUPERVISOR DUNNING: We did receive lots of reports.

COUNCILMAN SLATTERY: Smaller font.

COUNCILWOMAN SPERR: Did you want to make announcements? The Chamber is holding their annual golf tournament on Monday?

COUNCILMAN SLATTERY: You just did. What are they doing, Mary (Sperr)?

SUPERVISOR DUNNING: The Chamber of Commerce, to benefit Lifetime Assistance.

COUNCILWOMAN SPERR: It benefits Lifetime Assistance, and this year, Kathy Miller

from Lifetime Assistance has really gone way above and beyond with the silent auction and dinner that will be following that, so if you don't golf, there is still openings. You're more than welcome to come. It is 6 o'clock at Brook-Lea Country Club for that event, so we hope to be able to really support them well.

Last year we gave them quite a substantial check. We're hoping to have good participation. We have about 110 golfers signed up to golf. It should be a very nice event. Pray for good weather. I'm a fair weather golfer, so pray for good weather.

The 5/21/08 and 6/4/08 Town Board meeting minutes were approved as submitted.

**REPORTS SUBMITTED:**

Community Center Revenue Report – May 2008, June 08  
Recreation Center Revenue Report – May 2008, June 08  
Senior Center Revenue Report – May 2008, June 08  
Architectural Advisory Committee Minutes – 4/29/08  
Conservation Board Minutes – 5/15/08, 6/2/08  
Drainage Committee Minutes – 6/3/08  
Examining Board of Plumbers Minutes – 5/13/08  
Historic Preservation Board Minutes – 5/12/08  
Library Board Minutes – 5/27/08  
Monthly Financial Report – May 2008  
Planning Board Minutes – 4/8/08, 5/13/08  
Town Clerk Report – May 2008, June 2008  
Traffic & Safety Minutes – 5/1/08  
Zoning Board Minutes – 4/22/08

**CORRESPONDENCE:**

1. Mr. Brongo has received a resignation from Brenda McDonald, Court Clerk effective 8/1/08.

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Pending Outstanding Resolutions:

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

**SUPERVISOR DUNNING:** I just want to touch on this briefly. We have a resolution on this tonight to hopefully discuss or bring this to the point where we can bring it to a public hearing. We -- we're waiting for a final document. We need a final document before we can take this to a public hearing, but there is a resolution on there this evening to talk about that.

**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

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**RESOLUTION #215 RE: SEQR Determination – Local Law #3 OF 2008**

**OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich**

**WHEREAS**, the Chili Town Board has received proposed Local Law #3 of 2008 entitled "Flood Damage Prevention"; and

**WHEREAS**, the Chili Town Board has declared itself lead agency under the provisions of the State Environmental Quality Review (SEQR) Act; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Chili, having reviewed the environmental record and having considered the comments at the public hearing on the Local Law hereby determines that the Local Law #3 of 2008 will have no significant environmental impact.

UNANIMOUSLY APPROVED

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: I agree we need to move forward with this. I don't want to lose our insurance.

COUNCILWOMAN SPERR: We did have plenty of time to review that law, all of us have looked at that, and we had presentations made, and any further questions you will have, they will be more than happy to help you out. So I just don't see the reason to wait. But I think we can calm your concerns by further information.

SUPERVISOR DUNNING: Thank you.

**RESOLUTION #216 RE: Adoption of Local Law #3 of 2008**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilman Schulmerich**

**WHEREAS**, a proposed Local Law #3 of the year 2008 to amend the Code of the Town of Chili to include a section entitled "Flood Damage Prevention" was introduced to the Town Board of the Town of Chili on the 4th day of June 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 9th day of July, 2008 at 7:00 p.m. to consider adoption of the proposed Local Law #3 of the year 2008 amending the Code of the Town of Chili to include a section entitled "Flood Damage Prevention"

**NOW, THEREFORE, BE IT RESOLVED**, that Local Law #3 of the year 2008 is hereby enacted by the Town Board of the Town of Chili.

UNANIMOUSLY APPROVED

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**RESOLUTION # 217 RE: APPROVING EXTENSION CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE PROPERTIES LOCATED AT 3127 CHILI AVENUE TAX MAP NO. 146.10-1-18, 778 PAUL ROAD TAX MAP NO. 146.10-1-19, 3137 CHILI AVENUE TAX MAP NO. 146.10-1-14, 5 PIKUET DRIVE TAX MAP NO. 146.10-1-16, 3131 CHILI AVENUE TAX MAP NO. 146.10-1-17, 780 PAUL ROAD TAX MAP NO. 146.10-1-15, ROCHESTER, N.Y. 14624, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK**

**OFFERED BY: Councilwoman Ignatowski      SECONDED BY: Councilwoman Sperr**

**WHEREAS**, a petition for the extension of the Chili Consolidated Drainage District to serve the properties located at 3127 Chili Avenue Tax Map No. 146.10-1-18, 778 Paul Road Tax Map No. 146.10-1-19, 3137 Chili Avenue Tax Map No. 146.10-1-14, 5 Pikuet Drive Tax Map No. 146.10-1-16, 3131 Chili Avenue Tax Map No. 146.10-1-17, 780 Paul Road Tax Map No. 146.10-1-15, Rochester, N.Y. 14624, a territory located within the Town of Chili, Monroe County, New York, the said petition being dated April 28th, 2008, was duly presented to the Town Board together with the necessary map and plan attached thereto; and

**WHEREAS**, an order was duly adopted by the Town Board on May 21, 2008 reciting the filing of said petition, the boundaries of the proposed district, the proposed services to be provided, the fact that no drainage improvements are proposed to be constructed therein by the Chili Consolidated Drainage District at this time, the estimated costs of the Chili Consolidated Drainage District, as extended, to the typical property, or if different, to the typical one or two family home, within the Chili Consolidated Drainage District, as extended, and specifying July 9, 2008 at 7:00 P.M. as the time and the Town Hall in the said Town of Chili as the place where the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

**WHEREAS**, such order was duly posted and published as required by law; and

**WHEREAS**, a hearing on the matter was duly held by the Board on the 9th day of July, 2008, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

**WHEREAS**, this Board has duly reviewed and considered the short Environmental Assessment Form submitted in this matter, as well as all other information obtained at the public hearing referred to above; and the Board has duly considered the impacts which may reasonably expected to result from the proposed action by using the process and criteria set forth in Article 8 of the State Environmental Quality Review Act and applicable regulations thereunder ("SEQRA");

**NOW, THEREFORE**, upon the evidence obtained by the Town Board at said public hearing and upon all other information obtained and reviewed by the Board, it is

**RESOLVED AND DETERMINED**, that the proposed extension of the Chili Consolidated Drainage District is not likely to result in the creation of potentially significant adverse environmental impacts and therefore, this Town Board does hereby make a Determination of NonSignificance, or a "Negative Declaration" (as the same is defined for purposes of SEQRA); and be it further

**RESOLVED AND DETERMINED**, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of Town Law as to the sufficiency of signers and is otherwise sufficient; (b) all the property and property owners within the proposed district extension are benefited thereby; (c) all the property and property owners benefited are included within the limits of the of the proposed district extension; (d) it is in the public interest to extend the district only if the expenses of the district (except as otherwise provided herein) shall be assessed against the entire district, as extended; and (e) it is in the public interest to grant in whole the relief requested; and be it further,

**RESOLVED AND DETERMINED**, that the extension of the Chili Consolidated Drainage District as proposed in said petition be approved; that cost of the formation of the district extension shall be paid by the petitioners; and that such district shall be bounded and described as set forth in Schedule A, available in the Town Clerk's Office; and be it further,

**RESOLVED AND DETERMINED**, that all expenses of the Chili Consolidated Drainage District, including this extension and all other extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended, except as otherwise provided above; and be it further

**RESOLVED**, that the Town Clerk of this Town shall within ten (10) days after the adoption of this resolution file certified copies thereof in duplicate in the office of the State Department of Audit and Control at Albany, New York; and be it further

**RESOLVED**, that the Town Clerk, within ten (10) days of the adoption of this resolution, shall cause to be published and posted, as required by law, a notice setting forth an abstract of this resolution, the date that it was adopted and a statement that it is subject to a permissive referendum.

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

UNANIMOUSLY APPROVED

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**RESOLUTION # 218 RE: APPROVING EXTENSION CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE NICOLOSI CHILI-SCOTTSVILLE TWO LOT SUBDIVISION TAX MAP NUMBERS 158.02-1-29 AND 158.02-1-30, LOCATED AT 295 AND 301 CHILI-SCOTTSVILLE ROAD, CHURCHVILLE, NY 14428, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK**

**OFFERED BY: Councilwoman Ignatowski      SECONDED BY: Councilman Slattery**

**WHEREAS**, a petition for the extension of the Chili Consolidated Drainage District to serve the Nicolosi Chili-Scottsville two lot subdivision located at 295 and 301 Chili-Scottsville Road, Churchville, NY 14428 tax map numbers 158.02-1-29 and 158.02-1-30, a territory located within the Town of Chili, Monroe County, New York, the said petition being dated January 26, 2008, was duly presented to the Town Board together with the necessary map and plan attached thereto; and

**WHEREAS**, an order was duly adopted by the Town Board on March 21, 2008 reciting the filing of said petition, the boundaries of the proposed district, the proposed services to be provided, the fact that no drainage improvements are proposed to be constructed therein by the Chili Consolidated Drainage District at this time, the estimated costs of the Chili Consolidated Drainage District, as extended, to the typical property, or if different, to the typical one or two family home, within the Chili Consolidated Drainage District, as extended, and specifying July 9, 2008 at 7:00 P.M. as the time and the Town Hall in the said Town of Chili as the place where the said Town Board would meet to consider the petition and to hear all persons interested in the subject thereof, concerning the same; and

**WHEREAS**, such order was duly posted and published as required by law; and

**WHEREAS**, a hearing on the matter was duly held by the Board on the 9th day of July, 2008, commencing at 7:00 P.M. at the Town Hall in the said Town and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

**WHEREAS**, this Board has duly reviewed and considered the short Environmental Assessment

Form submitted in this matter, as well as all other information obtained at the public hearing referred to above; and the Board has duly considered the impacts which may reasonably expected to result from the proposed action by using the process and criteria set forth in Article 8 of the State Environmental Quality Review Act and applicable regulations thereunder ("SEQRA");

**NOW, THEREFORE**, upon the evidence obtained by the Town Board at said public hearing and upon all other information obtained and reviewed by the Board, it is

**RESOLVED AND DETERMINED**, that the proposed extension of the Chili Consolidated Drainage District is not likely to result in the creation of potentially significant adverse environmental impacts and therefore, this Town Board does hereby make a Determination of NonSignificance, or a "Negative Declaration" (as the same is defined for purposes of SEQRA); and be it further

**RESOLVED AND DETERMINED**, that (a) the petition aforesaid is signed and acknowledged or proved as required by law, and it duly complies with the requirements of Section 191 of Town Law as to the sufficiency of signers and is otherwise sufficient; (b) all the property and property owners within the proposed district extension are benefited thereby; (c) all the property and property owners benefited are included within the limits of the of the proposed district extension; (d) it is in the public interest to extend the district only if the expenses of the district (except as otherwise provided herein) shall be assessed against the entire district, as extended; and (e) it is in the public interest to grant in whole the relief requested; and be it further,

**RESOLVED AND DETERMINED**, that the extension of the Chili Consolidated Drainage District as proposed in said petition be approved; that cost of the formation of the district extension shall be paid by the petitioners; and that such district shall be bounded and described as set forth in Schedule A, available in the Town Clerk's Office; and be it further,

**RESOLVED AND DETERMINED**, that all expenses of the Chili Consolidated Drainage District, including this extension and all other extensions heretofore and hereafter created, shall be a charge against the entire area of the district, as extended, except as otherwise provided above; and be it further

**RESOLVED**, that the Town Clerk of this Town shall within ten (10) days after the adoption of this resolution file certified copies thereof in duplicate in the office of the State Department of Audit and Control at Albany, New York; and be it further

**RESOLVED**, that the Town Clerk, within ten (10) days of the adoption of this resolution, shall cause to be published and posted, as required by law, a notice setting forth an abstract of this resolution, the date that it was adopted and a statement that it is subject to a permissive referendum.

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

UNANIMOUSLY APPROVED

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**RESOLUTION #219 RE: ORDER SETTING PUBLIC HEARING ON THE PROPOSED EXTENSION OF THE CHILI CONSOLIDATED DRAINAGE DISTRICT TO SERVE THE PROPERTY LOCATED AT 60 STRYKER ROAD, SCOTTSVILLE, NY 14546 TAX MAP NUMBER 158.04-1-13, IN THE TOWN OF CHILI, COUNTY OF MONROE AND STATE OF NEW YORK**

**OFFERED BY: Councilwoman Sperr      SECONDED BY: Councilwoman Ignatowski**

**WHEREAS**, a written petition, dated June 4, 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 property located at 60 Stryker Road, Scottsville NY 14546 tax map number 158.04-1-13, 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 6th day of August, 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

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Councilman Slattery was excused at this point of the meeting. (He returned to the meeting room for Resolution 225 through the remainder of the meeting.)

**RESOLUTION #220 RE: Letter of Credit Release For Comfort Windows  
Release No. 1 - Final**

**OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski**

**BE IT RESOLVED** that per recommendation of the Town Engineer, the remaining balance of \$6,500.00 should be released from the letter of credit with M&T Bank (#SB-910297-2000) for Comfort Windows; subject to engineering fees to the Town.

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #221 Re: Letter of Credit Release For Maple Hollow Subdivision  
Release No. 7 - Final**

**OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski**

**BE IT RESOLVED** that per recommendation of the Town Engineer, \$50,434.18 be released from the letter of credit with Ontario National Bank (#1013) for Maple Hollow Subdivision, leaving a balance of \$0.00; subject to engineering fees and street light bills to the Town.

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #222 RE: Letter of Credit Release For Park Place Section 9 and 10**

**OFFERED BY: Councilwoman Sperr SECONDED BY: Councilwoman Ignatowski**

**BE IT RESOLVED** that per recommendation of the Town Engineer, \$85,759.62 be released from the letter of credit with CNB (#1103104720) for Park Place Section 9 and 10, leaving a balance of \$144,403.73; subject to engineering fees and street light bills to the Town.

APPROVED BY A VOTE OF 4 YES

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN IGNATOWSKI: Glad it finally came to completion.

**RESOLUTION #223 RE: Authorization of addition Funds to General Code Publishers**

**OFFERED BY: Councilwoman Ignatowski SECONDED BY: Councilman Schulmerich**

**WHEREAS**, the Town Board by resolution entered into an agreement with General Code Publishers, of Rochester, New York, to prepare and deliver a recodified and reformatted "Code of the Town of Chili," and

**WHEREAS**, the initial scope of the project has changed since February 2005, when we first entered into an agreement with General Code Publishers,

**AND, WHEREAS**, costs associated with the inclusion of Local Law No. 1 of 2008, Architectural Advisory Committee, and the updated Flood Damage Prevention Law will be included in these additional funds,

**NOW, THEREFORE, BE IT RESOLVED**, that General Code Publishers, of Rochester, New York, be paid an additional amount of \$1,816.00 to cover their costs for additional services requested by the Town for the completion of the recodified and reformatted "Code of the Town of Chili."

APPROVED BY A VOTE OF 4 YES

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**RESOLUTION #224 RE: Authorization of Attendance to NYS Division of Code Enforcement Training Program**

**OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the State of New York has established a Building and Fire Code certification training program for Town Code officials,

**NOW, THEREFORE, BE IT RESOLVED**, that Pat Sheridan, Assistant Building Inspector, be authorized to attend the NYS Building & Fire Code Training Program July 8 – 10, 2008, August 12 - 14, 2008 and September 16 – 18, 2008 at the Monroe County Department of Public Safety Building 1190 Scottsville Road, Rochester, NY 14624. There is no charge for this training.

APPROVED BY A VOTE OF 4 YES

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Councilman Slattery returned to the meeting room.

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I do have a question. Maybe Dianne (O'Meara) could answer this. There was such a large difference between the bids -- the proposals received on this with the highest coming in at 15,000 and the lowest at 4,500. By going with that low bid, are we missing out on something? Are they able to provide everything that we're looking for?

DIANNE O'MEARA: The -- part of the package that I sent out, I sent out --

SUPERVISOR DUNNING: Dianne (O'Meara), could you just pull the microphone over so people can hear you, please?

Thank you.

DIANNE O'MEARA: I sent out several packages probably to about 15 companies. Um, included in the packet was a four- or five-page format of questions that they were to use that format and specifically answer the questions that I gave, and then, um -- or I had on that document, and then I was able to extract our information and compare each of the requests.

Um, I can't speak as to actually why that one bid came in extremely high other than when GASB-45 was initially introduced, they were one of the very few companies that had a resource to provide the actuarial services that were required. Fortunately, the Town of Chili did not have to jump on board immediately with the GASB-45. We had a three or four year lag in time, and since then, there have been other firms that have popped up that can do the same services.

Do I believe we're going to lose out on anything? No, I do not.

COUNCILWOMAN SPERR: So you were happy with what you saw come from First Niagara Benefits Consulting?

DIANNE O'MEARA: Yes. I spoke to several of these individuals, of these companies, their representatives, and I -- I believe that First Niagara, we could have a good working relationship for the Town to provide the services that we need.

COUNCILWOMAN SPERR: Thank you very much. That's my only question.

**RESOLUTION #225 RE: Actuarial Services-GASB 45**

**OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski**

**WHEREAS**, the Town of Chili is scheduled to comply with GASB 45 – Accounting and Financial Reporting by Employers for Post-employment Benefits Other Than Pensions with the fiscal year ending December 31, 2009; and

**WHEREAS**, the Director of Finance sent Requests for Proposal for Professional Services to fourteen firms; and

**WHEREAS**, the Director of Finance has completed the review of the five proposals that were received as follows:

Milliman	\$15,000 full valuation
Harbridge Consulting Group	\$ 9,100 full valuation
Armory Associates	\$ 6,500 full valuation
Health Economics Group	\$ 6,200 full valuation
First Niagara Benefits Consulting	\$ 4,500 full valuation

**NOW, THEREFORE, BE IT RESOLVED**, on the recommendation of the Director of Finance to accept the proposal of First Niagara Benefits Consulting for full valuation years services at \$4,500 and roll-forward years services at \$2,000 with work to commence January 1, 2009 and contract language subject to approval by the Counsel to the Town.

UNANIMOUSLY APPROVED

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Very good job.

**RESOLUTION #226 RE: Baker Park Final Site Plan**

**OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Sperr**

**WHEREAS**, the Baker Park conceptual plans were adopted to be used for any future park improvements per Resolution #125 at the February 6, 2008 Chili Town Board meeting and;

**WHEREAS**, the Town of Chili contracted with McCord Landscape Architecture to develop a final site plan for Baker Park based on those conceptual plans;

**BE IT RESOLVED**, that the Baker Park final site plans are adopted and McCord Landscape Architecture is authorized to prepare plan specifications for bid purposes;

**AND BE IT FURTHER RESOLVED**, that Richard Brongo, Town Clerk, is authorized to advertise for bids for the Baker Park project.

UNANIMOUSLY APPROVED

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: Are we anticipating the hiring of any more employees, summer staff?

MR. CURLEY: To clarify this resolution, about a week prior to our summer camp starting, I had three employees take other jobs, so I had three vacancies, so therefore, that is why we have hired three additional staff to replace those that left for higher-paying jobs. The additional one at Paul Road School is because the numbers shot up, and the further result part is we had to juggle the people that had left had been in positions of -- higher paid, higher positions, so I had to juggle with some of the existing staff to fill those vacancies, but for the remainder of the summer, we are set for staffing.

COUNCILMAN SLATTERY: Are these all Chili residents?

MR. CURLEY: Yes, they are.

**RESOLUTION #227 RE: Chili Recreation Summer Staff**

**OFFERED BY: Councilman Schulmerich SECONDED BY: Councilwoman Ignatowski**

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

Seasonal Playground Counselors (\$7.15/hour)

Mark Amico  
Amanda Braun  
Nicole Wellmen

Paul Road Summer Camp Counselor (\$7.50/hour)

Colin Dooling

**And Be It Further Resolved**, that the following summer staff be appointed to new positions

Seasonal Playground Leader (\$8.00/hour)

Amanda Dressler

Pee Wee Camp Leader (\$8.00/hour)

Jennifer Kittle

Paul Road Summer Camp Counselors (\$7.50/hour)

Joe Bauer  
Deborah Borden  
Nicole Cimino

UNANIMOUSLY APPROVED

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**RESOLUTION #228 RE: NYS Association of Magistrates Training**

**OFFERED BY: Councilman Slattery      SECONDED BY: COUNCILWOMAN SPERR**

**BE IT RESOLVED** that Judge Patrick J. Pietropaoli and Judge Melvin L. Olver are authorized to attend the NYS Magistrates Association Annual Conference in Niagara Falls, New York on September 21, 2008 through September 24, 2008. Total cost not to exceed \$900.00 per person.

UNANIMOUSLY APPROVED

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**RESOLUTION #229 Periodic Assessment Roll Update**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilwoman Ignatowski**

**WHEREAS**, the Town of Chili has, according to New York State law, undertaken its periodic update of its assessment roll to maintain equity, and

**WHEREAS**, the Assessor has recommended the Town of Chili engage AVS Assessment Services,

**NOW, THEREFORE, BE IT RESOLVED**, that the Supervisor be authorized to execute a professional services agreement with AVS Assessment Services to assist the Assessor with the Annual 2008-2009 Assessment Equity Program at a cost not to exceed \$22,750, and to include **OPTIONAL** additional man days **IF** needed at a rate of \$500 per day.

**BE IT FURTHER RESOLVED**, that the project budget shall be established at \$32,000 and expenses paid for from NYS maintenance aid from budgeted funds allocated to the project.

UNANIMOUSLY APPROVED

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**RESOLUTION #230 RE: Revised Family and Medical Leave Act Policy**

**OFFERED BY: Councilman Schulmerich      SECONDED BY: Councilwoman Ignatowski**

**BE IT RESOLVED** to adopt the revised "Town of Chili – Family & Medical Leave Act of 1993 Policy and Procedures" to include leave taken to care for a covered service member and clarification of the section "Offsetting Unpaid Leave With Company Provided Paid Leave".

UNANIMOUSLY APPROVED

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**RESOLUTION #231 RE: June 18, 2008 Abstract**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilwoman Ignatowski**

**WHEREAS**, January 2, 2008 Resolution #1 authorized vouchers to be paid June 18, 2008 by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 2897-3137 totaling \$163,803.39 to be paid from the Distribution Account as presented by Richard Brongo, Town Clerk

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record vouchers 2897-3137 were paid from the following funds:

General Fund	\$ 86,698.43
Highway Fund	\$ 45,732.90
Library Fund	\$ 708.75
H44 2007-8 Annual Update	\$ 1,400.00
Consolidated Drainage	\$ 30.84
Clifton Fire Protection District	\$ 1,870.50
Chili Fire Protection District	\$ 19,575.00
Scottsville Fire Protection District	\$ 304.50
Park Place Sidewalk District	\$ 6,080.00
Special Light Districts	\$ 1,402.47
Total for Abstract	\$163,803.39

UNANIMOUSLY APPROVED

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**RESOLUTION #232 RE: July 2, 2008 Abstract**

**OFFERED BY: Councilwoman Sperr**      **SECONDED BY: Councilman Schulmerich**

**WHEREAS**, January 2, 2008 Resolution #1 authorized vouchers to be paid July 2, 2008 by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 3361-3530 totaling \$149,232.09 to be paid from the Distribution Account as presented by Richard Brongo, Town Clerk

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record vouchers 3361-3530 were paid from the following funds:

General Fund	\$ 37,473.71
Highway Fund	\$ 92,483.29
H45 Baker Park Project	\$ 7,849.00
Consolidated Drainage	\$ 305.00
Special Light Districts	\$ 9,617.16
Senior Center Fundraiser	\$ 1,503.93
Total for Abstract	\$149,232.09

UNANIMOUSLY APPROVED

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**RESOLUTION #233 RE: July 2, 2008 Abstract**

**OFFERED BY: Councilman Schulmerich**      **SECONDED BY: Councilwoman Ignatowski**

**WHEREAS**, January 2, 2008 Resolution #1 authorized vouchers to be paid July 2, 2008 by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 3531-3533 totaling \$4,486.66 to be paid from the Distribution Account as presented by Richard Brongo, Town Clerk

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record vouchers 3531-3533 were paid from the General Fund.

APPROVED BY A VOTE OF 4 YES WITH 1 ABSTENTION  
(Councilwoman Sperr abstained).

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PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on July 9, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:51 p.m. to discuss Extension of Chili Consolidated Drainage district to serve the 3127 Chili Avenue Tax Map No. 146.10-1-18, 778 Paul Road Tax Map No. 146.10-1-19, 3137 Chili Avenue Tax Map No. 146.10-1-14, 5 Pikuet

Drive Tax Map No. 146.10-1-16, 3131 Chili Avenue Tax Map No. 146.10-1-17, 780 Paul Road Tax Map No. 146.10-1-15, Rochester, N.Y. 14624, more particularly described in Schedule A (Property Description) on file in the Town Clerk's Office.

Attendance as previously noted in the July 9, 2008 Chili Town Board meeting minutes.

No one was present to represent the above-referenced property.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:51 p.m.

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#### PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on July 9, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at p.m. to discuss Extension of Chili Consolidated Drainage district to serve the 295 and 301 Chili-Scottsville Road, Churchville, NY 14428 tax map numbers 158.02-1-29 and 158.02-1-30, more particularly described in Schedule A (Property Description) on file in the Town Clerk's Office.

Attendance as previously noted in the 7/9/08 Chili Town Board meeting minutes.

No one was present to represent the above-referenced property.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 7:52 p.m.

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#### PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on July 9, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:52 p.m. to discuss Local Law #3 for Flood Damage Prevention.

Attendance as previously noted in the 7/9/08 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE:

GARY JOHNSON

MR. SMITH: My name is Gary Johnson, speaking on behalf of my mother who lives on Beaver Road in Chili. Um, I'm sure a lot, myself included -- for a lot of us, I'm not sure what Local Law Number 3 entails. It would be nice if we could see a listing or at least a reading of the law.

I looked online today. It was very not user-friendly as far as the website for Chili. I tried to read that before I came to this meeting.

If someone could enlighten us what Law Number 3 entails, I think it would help explain why anybody would consider it and adopt it.

Having lived in an area where it's a farm, and I have been before this Board for drainage problems before, for the last three years, and the consideration of potentially moving the Highway Department, potentially across the street where -- where my mother lives and problems where Wegmans and Paul Road drainage and so on and so on, I want to know where the water is all going to end up with the adoption of this plan and even possibly 1 and 2.

Certainly the water has to go somewhere. It all runs downstream. We happen to be a little bit downstream from where everybody is proposing the Town building, the Town Highway Department, Wegmans, Target. Where is the water to going to go? What is the plan and as far as flood prevention? What is the plan? I haven't seen anything listed on the website. We haven't been contacted specifically with any sort of request, suggestion.

I have made suggestions to the Town for the potential problem that we discussed three years ago with the Vistas of Chili, the new housing development going in on Archer Road. Where is all that water going to go? It is going to end up on my mom's property.

I would like to understand a little more about Local Law Number 3 in hopes that you don't devalue her property or anyone else in the same path. We have been in the Town for over 134 years, as far as my family. I would hate to see her property get ruined based on decisions made without thinking things through or asking the local community, which they're going to be affected by some of these laws and decisions.

So please, if you could explain Local Law Number 3, I would appreciate it. Thanks.

SUPERVISOR DUNNING: Thank you. One moment, Mr. Brixner, if you would, please.

What I would ask at this point, we did do a pretty detailed presentation of this at our last Town Board meeting. What I would ask, Mr. Karelus, if you could give us a brief overview of what this Local Law is all about, and again, brief, if you could please, just to get some

understanding.

And it is posted in its entirety, as I understand it, on our website, the -- the details of the Local Law. If you're having any difficulty with that, I would please encourage you to stop in and I would be more than happy to help you with that.

CHRIS KARELUS: Mr. Johnson, for purpose of the public, Mr. Chairman, Local Law Number 3 is -- it's a federal and State Law that the Town has to incorporate into our code. It's rules and guidelines, their restrictions on regulations.

So in essence what we're doing with the adoption of Local Law 3, is individuals like yourself that live in flood plain areas, flood prone, meaning the areas that are adjacent to or next to waterways, within our Town's significant waterways, Black Creek, they have significant areas that are protected or restricted. There are development restrictions on those areas due to the flooding stages.

This law is actually giving the Town, our code, guidelines through our administrative ends we have to enforce on developments. So we're actually with this code, um, adopting a process by which the Town is going to be able to restrict development to certain federal and State-mandated guidelines.

JERRY BRIXNER, 14 Hartom Road

MR. BRIXNER: I notice on page 6 and 7, that many of the -- many of the public hearing recommendations are scheduled to be voted onto night. Am I wrong or right?

SUPERVISOR DUNNING: You are correct.

MR. BRIXNER: So I would request on a benefit of the Johnsons and the benefit of of any other individuals concerned about these particular local laws that the Town Board not act on them tonight, but act on them at their August meeting. I think that would be fair. That would show and give an individual who may not be here tonight an opportunity to look it over and even give the Board members an opportunity to look over the particular proposals to be enacted.

That's it.

I could not ask -- for years we used to wait about two weeks or -- or about a meeting before enacting a Local Law, and I -- and it's been more currently accepted that we'll do it the same night the public hearing takes place. That doesn't make any sense to me. It doesn't make any sense that we can't wait a month to enact a law like this.

So I would ask that many of these laws be considered for the August meeting passage.

Thank you.

SUPERVISOR DUNNING: Thank you.

I would like to say something to that. First of all, this Town Board has been be adamant about not bringing proposals up the same night we do public hearings. We are, however, in a time crunch on this particular resolution, and again, I will refer -- Mr. Karelus, if you would, please, share with us the -- the issues around the timing and the passing or the adoption of these particular resolutions, this local law.

CHRIS KARELUS: Thank you, Supervisor.

If I could share with the Town, um, the -- the Town has an Administrator. I am the Plan Administrator for the Town. I manage the Building Department, but have the responsibilities of that role in the Town to make sure that I'm the permit regulator, as well as the permit administrator.

Over the past year, the Town has been working with the State and the federal government on first step, Phase 1 of map revisions to the flood plain maps. Those have recently been adopted in March of this past year. We could not adopt the Local Law until after that process had been completed.

The initial intent for this flood damage prevention law was to incorporate this as part of our overall code adoption. So what we have to be conscious of is the federal and State governments are expecting this. I shouldn't say "expect." It is required to have this process be completed by August of this year.

So seeing the time frame of the overall code, we had to make the decisions to extract that from the code and do it as an independent Local Law rather than part -- part of our updated code revision.

So what we do is the Town is covered by an insurance policy through FEMA. We could sacrifice the Town wide insurance if this not done in a timely fashion. Why we had to extract this is because of timing. We are doing this to insure the Town's coverage from the insurances through the federal government, so the action on the Board this evening, that is what is time sensitive.

It was extracted it off the overall code because of the timing of that process in the Town not being able to cover what we need to accomplish for a federal mandate.

MR. BRIXNER: Thank you very much.

The Public Hearing was closed at 7:59 p.m.

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#### PUBLIC HEARING

A Public Hearing was held by the Chili Town Board on July 9, 2008 at the Chili Town Hall, 3333 Chili Avenue, Rochester, New York 14624 at 7:59 p.m. to discuss the Comprehensive Plan 2010 GIS Maps, Second Public Hearing.

Attendance as previously noted in the 7/9/08 Chili Town Board meeting minutes.

COMMENTS OR QUESTIONS FROM THE AUDIENCE: None.

The Public Hearing was closed at 8:00 p.m.

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At this time the Town Board recessed the Town of Chili Town Board meeting for July 9, 2009.

The next meeting of the Chili Town Board is scheduled for Wednesday, August 6, 2008 at 7:00 p.m. at the Chili Town Hall meeting room.

The following two resolutions will be at a future Town of Chili Town Board meeting date and time to be determined before adjournment of this meeting.

**RESOLUTION #234 RE: Town Center Comprehensive Plan Consultant**

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

**WHEREAS**, the Town of Chili will be contracting with a professional consultant to assist with the update of the Town Center Comprehensive Master Plan, and

**WHEREAS**, the Town of Chili sent out 14 RFP's and only 3 proposals were submitted for review from:

Bergman Associates \$88,520  
BME Associates \$85,000  
Passero Associates \$80,000

**BE IT RESOLVED**, that per the recommendation of the Town Center Comprehensive Plan committee, Supervisor David J. Dunning is hereby authorized to sign a contract with

\_\_\_\_\_ To provide consultant services, with the amount of contract not to exceed

\$

\_\_\_\_\_ To be paid from A8020.450; and

**BE IT FURTHER RESOLVED**, to transfer \$ \_\_\_\_\_ from A1910.4 (Contingency) to A8020.450 (Masterplan – Contractual).

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**RESOLUTION #235 RE: Chili Town Center Ad Hoc Committee**

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

**WHEREAS**, the Town Board established by Resolution #153 an Chili Town Center Ad Hoc Committee;

**NOW, THEREFORE, BE IT RESOLVED**, the Chili Town Center Ad Hoc Committee will determine meeting dates and times, have the Town Clerk's office post and announce the dates and comply with all open meetings laws.

**BE IT FURTHER RESOLVED**, that the following individuals be appointed as members to the Chili Town Center Ad Hoc Committee:

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The meeting was recessed at 8:55 p.m.