

CHILI TOWN BOARD  
March 16, 2016

A meeting of the Chili Town Board was held on March 16, 2016 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:** Councilman Brown, Councilman Slattery, Councilwoman Sperr and Supervisor David Dunning. Councilman DeCory was excused.

**ALSO PRESENT:** Dawn Forte, Supervisor's Secretary; Sandra Hewlett, Stenographer; Virginia Ignatowski, Town Clerk; Daniel Knapp, Director of Finance; David Lindsay, Commissioner of Public Works/Highway Superintendent; Councilman Slattery, Deputy Town Supervisor; Richard Stowe, Counsel for the Town; Eric Vail, Insurance Counselor.

The invocation was given by Virginia Ignatowski.

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

**SUPERVISOR DUNNING:** I would also like to recognize we also have with us our County Legislative representative, Tracy Di Florio, and also I see a lot of shirts out there with stars, those nice brown shirts, a lot of men and women from Troop 133 here tonight. Thank you for joining us.

**PRESENTATIONS/ANNOUNCEMENTS:**

1. Laura Landers, Freed, Maxick CPA.

**SUPERVISOR DUNNING:** This is somewhat noteworthy, Dan Knapp, our Director of Finance, has done a really phenomenal job getting our financial statements in order, getting everything ready. This meeting is actually being held one month earlier than last year, which I believe was one month earlier the previous year. So I want to thank Dan (Knapp) for the work he has done on this putting this all together, getting the financials working with Laura (Landers) and her team at Freed Maxick. But, Dan (Knapp), excellent, excellent work. I know it is very exciting reading for those young men and woman in the audience -- required you read this before you leave, just so you know.

But at this time, we do have a presentation, so I would like to introduce Laura Landers from our -- from our firm that has been working with our financials and audits, Laura (Landers), Freed, Maxick. Floor is yours.

**MS. LANDERS:** All right. Thank you, very much, Supervisor Dunning. Good evening. I believe everyone has received the hard copy prior to this, that you received the draft of the financial statements and had an opportunity to look through them, and so my summation is going to be brief. If there is any questions, I would be more than happy to answer any questions that you may have.

Just to start off, that overall, the financial condition of the Town is, I would say, in a very strong position. Good cash balances, good fund balances at 12/31/15, including the reserves that -- the Town has really been proactive in funding those reserves for future uses.

And also to thank Dan (Knapp) that -- to be truly honest, he turned this around. We were here the first week of March actually doing the field work, and he was able to turn the financial statements around, had a lot of them drafted already and we were able to get it through our review process in -- I told him I think we can make the meeting on the 16th; no problem. We were actually done last Friday. So, you know, he -- he has really done a phenomenal job as far as being able to be ready, put these together and we get the ball rolling and get these to you in a timely manner.

So with that, you do have a -- the report to the Town Board, but I'm just going to start with the audit itself. The audited financial statements, this year we issued an unmodified opinion. As we have done in the past, the audit was conducted in accordance with Generally Accepted Auditing Standards and the financial statements present fairly in all material respects, the financial position of the governmental activities, each major fund and the aggregate non-major fund information for the Town.

In the current year, um, if you read through the financial statements, I think you probably will have noticed in some of the notes and also on the financial statements themselves some differences, and that is due to the implementation of the Governmental Accounting Standards Board statement number 68. This new standard briefly requires the Town's share of the unfunded New York State Employees Retirement System pension liability to be reported on the Town's government wide financial statements.

Also included in here, because this was an implementation of a new standard and obviously there was a liability there that would have been there at 12/31/14, you will see there is

a prior period adjustment but also a footnote related to that adjustment and that adjustment is due to the implementation of GASB statement number 68.

Um, the effects of the new standard can be seen on pages 18 and 19 of the financial statements. Those are your government wide financial statements. You will see that there are a couple of new categories. There is deferred outflows. There is deferred inflows and there also is also another liability called aggregate net pension liability.

All of the information that is included in these -- in your financial statements and also in the footnotes which are on pages 39 to 42 related to this statement, um, were really provided by the New York State Retirement System. They provide -- they went through and calculated each municipality that is a participant in the ERS system. They went through and calculated what percentage of that unfunded liability each municipality's share was.

The good news here is that that ERS system is currently 97.9 percent funded. So, you know, the liability is not significant. Um, except if you get up to, you know, the larger municipalities, the counties, the cities. But for the Town, you can see what it is. It is not that significant to your financial statements.

So that -- that number is going to be changing each year as actuarial evaluations are updated, as market -- as the markets impact what the funded status of the retirement system is.

So that will be on your government wide statements from here forward and it will be adjusted each year as the Town receives the information from the ERS system.

Also, there are additional schedules that were prepared by Dan (Knapp) that are included in the financial statements and those are pages 61 through 67. We're really not part of the basic financial statements, but management certainly has the opportunity and can add any additional information to the financial statements that they deem is appropriate and could help the readers in assessing the financial position and the operations of the Town.

Um, the current year financial statements, not only the financial statements, but the Management's Discussion & Analysis were prepared by Dan (Knapp) and they -- all of them, both the financial statements and the MD&A contain all of the required elements in accordance with the Governmental Accounting Standards Board.

Included in the MD&A, and as I said in the past, if you don't read the full set of the financial statements, at least read the MD&A. It has some good information in there. Dan (Knapp) has worked really hard on putting together some relevant financial highlights. He has comparative information in there, year over year, which the financial statements don't have. So I would really recommend that you just take the time at least to, um, read the Management's Discussion & Analysis.

And the -- most of the comparative information contained in there really comes from those government wide statements on pages 18 and 19, which incorporates all of the operations of the Town, including capital assets, net of depreciation, your long-term disabilities and in the current year, the deferred outflows and inflows and aggregate net pension liability as a result of implementation of GASB statement 68.

Fund basis detail. Detail of the composition of the fund balance of the Town's major funds is presented on page 47 of the footnotes to the financial statements. Um, as in the past, there is not a lot of benchmarking we can do related to governmental financial statements, but we do look at the percentage of fund balances to expenditures to determine, you know, is there -- is there any fiscal stress. And in looking at that for the Town, General Fund, we looked at the General Fund, we looked at the highway. General Fund, the unassigned fund balance current year -- and this is compared to the expenditures of the current year -- is at 69 percent. That is up from 63 percent of the prior year.

Total fund balance, current year to expenditures is 171 percent. Prior year is 152 percent. Current year revenues exceeded expenditures after transfers in and out of that fund in the amount of \$989,000. This is really a result of conservative budgeting for sales tax, which is definitely the most economically sensitive revenue that the Town has in their financial statements. And the monitoring of expenditures.

Just as an example, I went and I looked at the actual expenditures as a percentage of your original adopted budget. Actual expenditures are at 88 percent. So that's -- I would say there is a 12 percent gap there. That is pretty close when you consider what your budget is, which is close to, you know, 6 million. So 88 percent as compared to the original adopted budget. The majority of the current year increase and fund balance was utilized to fund those reserves that the Town has been proactive over the last number of years to establish and fund for future use by the Town.

Those reserves for the General Fund include capital reserves in the amount of \$2.9 million and insurance reserves at 517,000; Workers' Comp. at 787,000; and retirement at 175,000.

COUNCILMAN SLATTERY: Laura (Landers), if I could, you talked about fund balance, you talked about the sales tax and so forth. And I think it's important if maybe you can touch on those a little bit where the Town, where Dan (Knapp), where we're getting those figures, what we expect the cost to be. Those are coming from the State, correct?

MS. LANDERS: What is that, the sales tax? The sales taxes comes from the County.

COUNCILMAN SLATTERY: But then the State also is involved with the retirement?

MS. LANDERS: Right. The State -- the -- as far as the expenditures, the pensions, that information is coming from the State.

COUNCILMAN SLATTERY: Right.

MS. LANDERS: That is correct.

COUNCILMAN SLATTERY: For us, when it comes budget time, these are the figures

we're getting from them to help us -- when David (Dunning) puts his budget together before he presents it to the Town Board. So we're relying on them, and then we have to make our decisions from there.

MS. LANDERS: And good point. That's -- that's a good point. And really, you have to look at, um, historically where your sales tax has been and you really have to say, you know, where do we think the economy is going to be, because the -- the sales tax that you -- that is actually flowing through the County to the Town, as far as their -- the Town's allocation of that, is really contingent on people buying things, people out spending money and the sales tax that is being collected off of those sales.

COUNCILMAN SLATTERY: Right.

MS. LANDERS: So if you have a downturn and people aren't out there spending, then that is going to impact the sales tax that you're going to be -- the Town will ultimately be collecting. So -- and the pension is another one, too. I was glad to see that there is a retirement reserve now, because, um, you know, we're going into a time where we don't -- you know, it's -- the economy is a little bit slowing. Um, that's the assumptions that have been made by the retirement system as far as their rate of return is, they're assuming that the rate of return on the portfolio is somewhere about 7 1/2 percent.

COUNCILMAN SLATTERY: It didn't.

MS. LANDERS: We can all look at this and say we know we're not getting 7 1/2 percent on our investments. So there is going to probably be -- maybe not in next year, maybe not in '17, but maybe in '18 potentially an adjustment to that assumption depending how the markets perform.

COUNCILMAN SLATTERY: Didn't the State controller reduce that figure, as well?

MS. LANDERS: He did. He already reduced that by 1 percentage point. But there's a combination there. There is the rate of return, but there is also -- people are living longer so they're collecting longer on their pensions. Somehow that is going to have to somehow get in the mix.

COUNCILMAN SLATTERY: Right.

MS. LANDERS: And ultimately if they feel that they're not -- you know, the retirement system is not funded at the level where they should be, that's -- you know, where it is going to come from is additional contributions from the municipalities.

COUNCILMAN SLATTERY: I also think with the Tier 6, now with the employees paying into the retirement system, that is one step that I think is going to help maybe not offset it, but just work towards that, as well.

MS. LANDERS: It will.

COUNCILMAN SLATTERY: But it will take a period of time.

MS. LANDERS: It is going to take a long time for that to really work into the system to be really reflected and meaningful in the contributions coming from the municipalities.

Highway Town wide. Unreserved is 62 percent for the current year and was 44 percent in the prior year. Total fund balance, 73 percent. 52 percent for the prior year. Current year revenues exceeded expenditures after transfers in and out was 546,000, and the Town expended 76 percent of the original adopted budget.

Couple things going on here. Warmer winter than obviously we had last year. And so that -- that's -- that's going to be reflected in a decrease in your actual expenditures.

SUPERVISOR DUNNING: Point of clarification for those who think that the warmer winter didn't really exist last year, winter does also include October, November and December that -- that was -- you think of as this year probably more so than last year, that was very, very mild during that time. So that is inclusive of that warmer weather statement.

MS. LANDERS: And right. Because the November before was, you know -- there would be a -- November of '14 was significantly more snow. And, you know, that's another thing that is very hard to predict, what do you need to budget in order to cover yourself for overtime, for plowing, for salt. Those types of things. You want to make sure you're budgeting conservatively so you can cover those expenses if they arise.

But another thing to -- and Dan (Knapp) pointed this out in the MD&A also this year you had encumbrance for \$410,000 for some vehicles that you will be receiving in '16 and are going to be paying for them in '16.

Reserves in the Highway Fund, um, capital reserves, about 356,000. All of the non-major funds whose statements are contained 59 through 60, um, of the financial statements, end of the year with positive fund balances and all but the water districts ended the year with revenues exceeding expenditures. Water districts ended the year with expenditures exceeding revenues in the amount of \$1,699. Clearly not that significant.

Um, any other questions? I'm briefly going through the management report but any other questions on the financial statements? Management report, um, it's con -- contains our required communications under statement on auditing standards number 114. Um, and specifically, I want to know, again, no -- we had no audit adjustments. We had no uncorrected misstatements. What this means to this Board is that the interim financial information that you're receiving from Dan (Knapp) is accurate. You can rely on it. You can make your decisions on it. We didn't have any adjustments to those numbers at December 31st, 2015.

Um, communications between our firm and management is included in Exhibit A and that's the representation letter that we provided to Dan (Knapp) at the conclusion of our audit. We had no material weakness or significant deficiencies that we had noted during our audit of the Town for the current year. Any other questions?

COUNCILMAN BROWN: Dan (Knapp), are we going to be done another month earlier next year?

DANIEL KNAPP: No, I don't think so.

SUPERVISOR DUNNING: I think we reached the threshold, however, you set a new standard or precedent for future years, so good luck with that, Mr. Knapp.

MS. LANDERS: Supervisor Dunning just said to me before this, he said, "Well, I have read through this and if they had -- I would be more excited if there was in the MD&A all of the glowing things about the Town and how good we're doing," and I said, "You know, the numbers speak for themselves." They really do.

COUNCILMAN SLATTERY: Okay. Elaborate on that. It looks good.

MS. LANDERS: It looks good.

COUNCILMAN SLATTERY: That's what the audience wants to hear.

MS. LANDERS: That is why I started this presentation, Michael (Slattery) with that exact comment, that the financial position of the Town is strong. The reserves are in good shape. The fund balances are in good shape. You know, it's -- it's always a good thing to position yourself to be able to take any kind of unanticipated hit to your fund balance for anything that may come up. It's a good thing to know that you can have that comfort level and you have that cushion there to be able to absorb that.

COUNCILMAN SLATTERY: Without having it be excessive as some of the other towns where they ran into a little problem with okay, we collected too much tax dollars, now, you know how do we give it back, what do we have to do.

MS. LANDERS: And also that you will continue to be impacted by the tax cap.

COUNCILMAN SLATTERY: Right.

MS. LANDERS: That is not going away.

COUNCILMAN SLATTERY: Glad you mentioned that. That is not going away. As a matter of fact, you thought that the percentages that were -- you know, that the Towns were having to live by was kind of miniscule. The percentages that the villages are going to have to live by is even less.

SUPERVISOR DUNNING: Zero, is it not -- zero for the villages and the school districts.

MS. LANDERS: .000 something.

SUPERVISOR DUNNING: So we may see negative numbers next years.

COUNCILWOMAN SPERR: School districts have distinct variations because there may be some carryover. They have a different formula. I was listening to a presentation about Churchville-Chili and Gates Chili.

COUNCILMAN SLATTERY: And their budget --

MS. LANDERS: School districts, their tax cap is not impacted by capital projects and capital expenditures. If they were to go out and buy buses, that's excluded from their tax cap calculation.

If the Town is going out and doing several new roads, um --

COUNCILMAN SLATTERY: Or trucks. \$300,000 plow trucks.

MS. LANDERS: Right. And say you were going to go out and borrow, those expenditures are included in your calculation for that tax cap, yes.

COUNCILMAN SLATTERY: Actually, see with the school budget, you may see their budget is this, but then there will be different lines to vote on capital funds, to vote on buying ten more school buses which costs a million dollars or what have you. So they're able to do that where we're not.

MS. LANDERS: Right. It's -- it's in the calculation of -- of when you do your tax cap calculation, those capital outlays are included in those expenditures. They're in your appropriations.

COUNCILMAN SLATTERY: What I find interesting is when you look at the school taxes and then you compare it to the County tax and the Town tax, the Town tax is the lowest tax you pay, but we're the ones that hear from the public first. Generally when you look at school budgets when they vote on them, your turnout is very low. When it comes to the Town tax, which is -- for a \$100,000 house, it may be \$388 or so, so it's really not a lot when that goes to your Fire Department, your Rec, your Senior Center, your Highway Department, which our guys do a fabulous job. Our Highway Superintendent is here tonight, but for what they have to deal with --

MS. LANDERS: Uh-huh. Absolutely.

COUNCILMAN SLATTERY: And Dan (Knapp) did a good job on this, I guess.

COUNCILWOMAN SPERR: Very good I would say.

SUPERVISOR DUNNING: Thank you. Thank your team. Laura (Landers)'s team always comes in very professional. I'm a little concerned about taking my parking spot every day, but I was able get to the meetings with no problem. No major conflicts. I had to walk a little further, so --

MS. LANDERS: We have a little joke about that, we did.

SUPERVISOR DUNNING: We have had a little fun with it here, too. Not that I couldn't use the exercise, but, you know -- but no.

Thanks. Your team does an excellent job for us as you do, too, and I appreciate everything you brought to us, as well. I know working with Dan (Knapp) it has been a pleasure, it runs very smoothly and it just goes to show and reflect upon the professionalism of your team.

COUNCILWOMAN SPERR: I'm happy to say we're pleased to see you again.

MS. LANDERS: Good. That is always a good thing.

COUNCILWOMAN SPERR: Yes. Thank you.

At this point, a Public Forum was conducted to allow public speakers to address the Town Board. No speakers addressed the Town Board. The Public Forum concluded at 7:26 p.m.

**MATTERS OF THE SUPERVISOR:**

1. Snowstorm February 16, 2016.

SUPERVISOR DUNNING: Couple things this evening. One, the snowstorm that we had back in the middle of February was quite an event, got quite a bit of snow in a very, very brief period of time and anybody that was out knows it was very difficult to travel if you could at all. But I would like to -- if you would indulge me to read a letter that the Town of Chili received from the University of Rochester. This is a -- actually it was sent to the County Executive and then sent over to us to be able to recognize the people here that were involved.

The letter starts out with, "Dear Mrs. Dinolfo" -- or "Ms. Dinolfo."

"This letter is to express our extreme gratitude to you and all of the others that contributed to a very successful heart transplant that occurred during the snow emergency this past week on Tuesday, February 16th, 2016."

"As you know, traffic in and around Rochester came to an absolute standstill. Early in the morning, the Division of Cardiac surgery in the Department of Surgery at the University of Rochester Medical Center received word about a donor heart that was available in Syracuse, New York. We dispatched our organ recovery team via airplane to Syracuse."

"Despite the weather, ultimately all organ recovery teams were assembled and an organ procurement procedure commenced in the late morning on Tuesday, February 16th, 2016.

Typically, what is not known about organ procurement is that the time is of the essence when it comes to the human heart. The goal is to limit the time between the heart being removed from the donor and given to the recipient."

"During the course of the day, it became very obvious there were significant transportation issues in terms of getting the heart back to the University of Rochester Medical Center. We reached out to one of the County Engineers, Mr. Antonios Halaris. He, along with his Supervisor, Mr. Terrence Rice, made arrangements to allow the Procurement Team with the heart to egress from the airplane at Greater Rochester International Airport to get to the University of Rochester Medical Center in an exceedingly timely fashion when there were tremendous traffic problems in the entire area."

"Our understanding is that Mr. Halaris and Mr. Rice obtained a snowplow from the Town of Chili Public Works Department which was coordinated by Mr. Jerry Sauer. They had Mr. Sauer waiting for the airplane to arrive at the Rochester Airport. The cooler containing the heart was placed in the New York State Trooper vehicle and the plow truck essentially created a path for the New York State Trooper to get the heart directly to the hospital in less than ten minutes."

"It should be noted that all of this was accomplished while there were many other emergencies going on in Monroe County. The final result of all this help was the patient received his new heart and in an exceedingly timely fashion, and in doing so, very well recovering in the Cardiac ICU Unit at the University of Rochester Medical Center and Strong Memorial Hospital."

"It is extremely gratifying to see our County government along with the Chili Public Works Department and New York State Police working in harmony for the common good of a very sick individual. We're extremely grateful for all of the extraordinary effort that occurred during the snowstorm, especially Mr. Antonios Halaris and Terrence Rice."

And this is signed by the Director of the Division of Pediatric Cardiac Surgery from the University of Rochester.

Mr. Lindsay, my hats off to you and your team, and of course, the State Police and the County involved in getting this done. Extraordinary effort and someone is alive and doing well today because of their actions, so -- (Applause.)

Noteworthy, and I'm sorry, but I did feel it necessary to read that entire letter.

COUNCILWOMAN SPERR: If you could read that to Jerry (Sauer), sitting there, he would be crying. Great guy.

2. Chili Ambulance Public Informational Meeting.

SUPERVISOR DUNNING: Next thing I would like to mention, on April 21st, 2016, in this room, at 7 p.m., there will be a meeting being held by the Chili Ambulance. This is a meeting to discuss a joint venture between the Chili Ambulance, the village -- the Village of Scottsville Ambulance and Spencerport -- or Henrietta, I'm sorry. Henrietta. I did that the other day. Henrietta Ambulance. They wanted to discuss their plans for perhaps doing a merger.

So if you have any interest in what is going on there, I would highly recommend you be at that meeting. It is a public meeting. Again, it is at 7 p.m. in this room on April 21st.

3. Chili Center Master Plan Meeting.

SUPERVISOR DUNNING: On March 31st, at 7 p.m., in this room, we will have a

meeting, a public meeting for the Chili Center Master Plan. The master plan is getting down to final evolution, if you will, and it will -- the information from the public is critical to the success and development of this master plan. I think they have a good draft started. We're well on our way to getting a great document, but public input would be very much appreciated so we hope that some of you consider showing up for that meeting.

Pending Matters:

1. Vacancy BAR (Perm & Temp Member) Committee, Conservation Board, Ethics Committee, Traffic & Safety Committee.

SUPERVISOR DUNNING: From there, we do have vacancies on our Board of Assessment Review. Conservation Board, Ethics Committee and Traffic & Safety Committee.

**MATTERS OF THE TOWN COUNCIL:**

COUNCILMAN BROWN: Just wanted add when we had our public information meeting on the Chili Master Plan the first time, we had a great turnout and a lot of really good input we think has been incorporated into the models that they have come up with. So we really are encouraging the public to come and see what we have been up to.

COUNCILMAN SLATTERY: Supervisor, one thing to mention, I know there are some young adults here, but if you're interested, check with our Town website for the Recreation Department. On Friday, there is dinner with the Easter Bunny and then on Saturday is the Easter egg hunt. So it's a great time. There is different age groups that go off at different times. So if you see me there, I'll try not to take the peanut butter ones. I like those.

SUPERVISOR DUNNING: Please, correct me if I am wrong, but I think some of these young folks will be there very early in the morning. They were told Councilman Slattery was bringing donuts.

CHRISTOPHER LEVEY: They're going to meet Councilman Slattery at 7 a.m. to help the Recreation Department set up for the event.

COUNCILMAN SLATTERY: Really. So now you just committed me to do this. (Laughter.) Okay, kids, snowballs on him.

The 2/10/16 Town Board meeting minutes were approved as submitted.

**REPORTS SUBMITTED:**

Building Department Report – February 2016  
Conservation Board Minutes – 1/4/2016  
Dog Control Report – January 2016, February 2016  
Historic Preservation Board Minutes – 2/8/2016  
Library Board Minutes – 1/26/2016  
Monthly Financial Statement – January 2016, February 2016  
Recreation Center Report – February 2016  
Senior Center Report – February 2016  
Town Clerk Report – February 2016  
Traffic & Safety Committee Minutes – 1/7/2016, No February Mtg.  
Zoning Board Minutes – 1/26/2016

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**RESOLUTION #128 RE: Acceptance of Farmland Protection Implementation Grant**

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

**WHEREAS**, the Town has received notification that it has been awarded a \$15,000 grant from the Department of Agriculture and Markets through its Farmland Protection Implementation Grants (FPIG) program to assist the Town in amending our local laws to remove unreasonable restrictions affecting agricultural lands and farm operations. This Round 13 FPIG award is funded through the New York State Environmental Protection Fund; and

**NOW, THEREFORE, BE IT RESOLVED**, to accept the grant; and

**BE IT FURTHER RESOLVED**, to amend the 2016 revenue budget A3089 (State Aid – Other) by an increase of \$15,000.00; and amend the 2016 expense budget A1410.4 (Town Clerk – General Code Updates) by an increase of \$15,000.00.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #129 RE: Use of the Senior Center Trust and Agency**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilman Brown**

**WHEREAS**, the Senior Center Trust and Agency Account was established in the year 2000 to hold proceeds from fundraising activities to benefit the Chili Senior Center; and

**WHEREAS**, Mary Anne Sears, Director of Programs for the Aging, and the Voices and Visions Committee, a volunteer group of senior citizens, wish to use funds from said account to offset the cost of the following activities: Summer picnic; cost not to exceed \$350, Josie Waverly Concert to be held at the Senior Center on April 2, 2016; cost not to exceed \$1,000, Marcy Downey on May 27, 2016; cost not to exceed \$500.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILWOMAN SPERR: I like Nik and the Nice Guys. Does that count?

**RESOLUTION #130    RE: Entertainment Chil-E-Fest**

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

**BE IT RESOLVED** that Supervisor Dunning is hereby authorized to sign a contract with Nik and the Nice Guys to provide musical entertainment at the 2016 Chil-E Festival for \$2500.00, to be paid from account A7550.4. (Celebrations).

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #131    RE: Re-Setting Public Hearing for Demolition or Repair of Structure at 3431 Union Street**

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

**WHEREAS**, the Building Department Manager of the Town of Chili has filed his report in writing with the Town Board of the Town of Chili containing his findings and recommendations regarding certain structures situated on premises at 3431 UNION STREET, TOWN OF CHILI, NY designated by Tax Map No. 144.12-1-3, in which report said Building Department Manager states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate demolition and removal; and

**WHEREAS**, the Town Board of the Town of Chili after reviewing said report and after Hearing said Building Department Manager in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structures or their removal; and

**NOW, THEREFORE, BE IT RESOLVED**, that: (1) notice be given to Louis J. Faust reputed owner(s) of these structures situate on premises on 3431 UNION STREET, TOWN OF CHILI, NY designated by Tax Map No. 144.12-1-3, in the manner required by Chapter 205 of the Code of the Town of Chili, (2) said notice to be served upon said Louis J. Faust reputed owner(s) or by first class mail to their last known residences as shown by the Official Assessment Roll of the Town of Chili, and by affixing a copy thereof upon said structures, (3) said notice shall notify the property owner(s) that the Town Board has scheduled a Public Hearing to consider whether or not an ORDER should be made with regard to the structures on the property ORDERING their REPAIR if the same is feasible, or ORDERING their DEMOLITION and REMOVAL. At the Public Hearing the report of the Building Department Manager shall be considered. Said report recommends that the structures on the property be DEMOLISHED AND REMOVED (“the work”), and all work to be commenced within twenty (20) days of the service of said ORDER and to be completed within forty-five (45) days thereafter, (4) If said work is not commenced within 20 days, said Order may provide that the Town of Chili may perform the work at the expense of the property owner(s), and (i) be assessed & levied against the land on which said structures are located along with legal expenses and/or (ii) to be collected by special proceeding along with legal expenses. (5) A public hearing was scheduled on February 10, 2016 and a new public hearing is scheduled on April 13, 2016 at 7:00p.m. at 3333 Chili Avenue, Rochester, NY 14624, to consider said ORDER, and (6) the Building Department Manager of the Town of Chili

be and he hereby is directed to prepare said notice and arrange for the service thereof in accordance with the requirements of said Chapter 205. The Town Clerk is hereby directed to publish notice of public hearing in accordance with Section 108, in the Gates-Chili Post.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #132 RE: Re-Setting Public Hearing for Demolition or Repair of Structure at 104 Names Road**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilman Brown**

**WHEREAS**, the Building Department Manager of the Town of Chili has filed his report in writing with the Town Board of the Town of Chili containing his findings and recommendations regarding certain structures situated on premises at 104 NAMES ROAD, TOWN OF CHILI, NY designated by Tax Map No. 147.19-1-54, in which report said Building Department Manager states his opinion that said structures are unsafe and dangerous to the public and recommends their immediate demolition and removal; and

**WHEREAS**, the Town Board of the Town of Chili after reviewing said report and after Hearing said Building Department Manager in regard thereto and after having duly deliberated upon the same, having determined that said report warrants the securing of said structures or their removal; and

**NOW, THEREFORE, BE IT RESOLVED**, that: (1) notice be given to Ralph & Jaye Harmon reputed owner(s) of these structures situate on premises on 104 NAMES ROAD, TOWN OF CHILI, NY designated by Tax Map No. 147.19-1-54, in the manner required by Chapter 205 of the Code of the Town of Chili, (2) said notice to be served upon said Ralph & Jaye Harmon reputed owner(s) or by first class mail to their last known residences as shown by the Official Assessment Roll of the Town of Chili, and by affixing a copy thereof upon said structures, (3) said notice shall notify the property owner(s) that the Town Board has scheduled a Public Hearing to consider whether or not an ORDER should be made with regard to the structures on the property ORDERING their REPAIR if the same is feasible, or ORDERING their DEMOLITION and REMOVAL. At the Public Hearing the report of the Building Department Manager shall be considered. Said report recommends that the structures on the property be DEMOLISHED AND REMOVED (“the work”), and all work to be commenced within twenty (20) days of the service of said ORDER and to be completed within forty-five (45) days thereafter, (4) If said work is not commenced within 20 days, said Order may provide that the Town of Chili may perform the work at the expense of the property owner(s), and (i) be assessed & levied against the land on which said structures are located along with legal expenses and/or (ii) to be collected by special proceeding along with legal expenses. (5) A public hearing was scheduled on February 10, 2016 and the new public hearing is scheduled for April 13, 2016 at 7:00p.m. at 3333 Chili Avenue, Rochester, NY 14624, to consider said ORDER, and (6) the Building Department Manager of the Town of Chili be and he hereby is directed to prepare said notice and arrange for the service thereof in accordance with the requirements of said Chapter 205. The Town Clerk is hereby directed to publish notice of public hearing in accordance with Section 108, in the Gates-Chili Post.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #133 RE: SOUND, STAGING, AND LIGHTING - Chil-E Fest**

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

**WHEREAS**, the Town intends to provide live entertainment during the 2016 Chil-E Festival to the benefit of residents of the Town; and

**WHEREAS**, Audio Images Sound and Lighting has provided the Town with outstanding service in the past; and

**NOW, THEREFORE, BE IT RESOLVED**, to accept the proposal from Audio Images Sound and Lighting and authorize Supervisor Dunning to sign an agreement in the amount of \$4,990.00 to be paid from A7550.4 (Celebrations).

Councilman Brown - Aye



Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #134 RE: Chili Fire Department Addition to Active List**

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

**BE IT RESOLVED** that the following individual(s) be added to the Chili Fire Department active list effective March 1, 2016:

Kelly Donovan

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #135 RE: Chili Fire Department Remove from Active List**

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

**BE IT RESOLVED** that the following individual(s) be removed from the Chili Fire Department active list effective March 1, 2016:

Kelan Kline

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #136 RE: Chili Fire Department Exempt List**

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

**BE IT RESOLVED** that the following individual(s) be removed from the active list and added to the Chili Fire Department exempt list effective March 1, 2016:

Mark Hardy

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #137 RE: Professional Management Services - Town of Chili 2030 Comprehensive Plan Update**

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

**WHEREAS**, the Town of Chili will be contracting with a professional consultant to assist with the update of the 2011 Edition of the Town of Chili 2030 Comprehensive Plan; and

**BE IT RESOLVED**, that Supervisor David J. Dunning is hereby authorized to sign a contract with RLB Planning Group to provide consultant services pertaining to the update of the Town of Chili 2030 Comprehensive Plan; and

**BE IT FURTHER RESOLVED**, that the update is not to exceed \$20,500.00 from A8020.4290.0053 (Planning-Comprehensive Plan).

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #138 RE: Conceptual Needs Assessment Feasibility Study**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilman Brown**

**WHEREAS**, the Town of Chili would like to conduct a conceptual needs assessment, feasibility study, conceptual design and cost estimate for the Town of Chili Community Center, Senior Center, Library & Parks Complex; and

**NOW, THEREFORE, BE IT RESOLVED**, that Supervisor Dunning be authorized to enter into an agreement with Passero Associates for such study at a cost not to exceed \$40,000 from A1440.4 (Town Engineer-Engineering & Survey).

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #139    RE: Set Public Hearing to consider adoption of Local Law # \_\_\_\_ of 2016 amending The Code of the Town of Chili to add a new chapter entitled Town of Chili Best Value Contract Award Law.**

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

**WHEREAS**, a Local law to amend the Town Code to add a new chapter entitled Town of Chili Best Value Contract Award Law has been advanced and introduced; and

**NOW, THEREFORE, BE IT RESOLVED**, that Local Law # \_\_\_\_ of 2016 of the Town of Chili entitled a Local law to which amends the Code of the Town of Chili as it relates to awarding of contracts in the Town of Chili; and

**BE IT FURTHER RESOLVED**, that the Town Board hereby declares itself lead agency for SEQRA review purposes and determines this Action to be a Type II Action; and

**BE IT FURTHER RESOLVED**, that a Public Hearing is hereby scheduled for April 13, 2016 at 7:00 p.m. at the Town Hall Main Meeting Room, 3333 Chili Avenue to consider the adoption of Local Law # \_\_\_\_ of 2016.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #140    RE: Rezoning of 4330, 4332, 4334 & 4336 Buffalo Road**

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

**WHEREAS**, the intent of the Town of Chili is to rezone the properties located at 4330 Buffalo Road (Tax A/C #132.13-1-32), 4332 Buffalo Road (Tax A/C #132.13-1-31), 4334 Buffalo Road (Tax A/C #132.13-1-30) & 4336 Buffalo Road (Tax A/C #132.13-1-29); and

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board refers the matter to the Planning Board for a public hearing and recommendations.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #141    RE: Extension of New York State Snow and Ice Contract**

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

**WHEREAS**, the Town Board of the Town of Chili on March 16, 2016 makes a resolution to approve the Snow & Ice Contract No. D009808 between the State of New York and the Town of Chili for snow and ice control which will expire on June 30, 2017 unless further extended. The contract will be for \$275,031.98.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye

Supervisor Dunning - Aye

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**RESOLUTION #142 RE: Authorization to Sign Cooperative Agreement with Monroe County Soil and Water Conservation District**

**OFFERED BY: Councilwoman**                      **SECONDED BY: Councilman Brown**

**WHEREAS**, the Town has received notification from the Monroe County Soil and Water Conservation District of a sub-grant award in the amount of \$14,250. Said grant funds are to be used for the implementation of a riparian buffer along both sides of an unnamed tributary to Black Creek at Union Station Park; and

**WHEREAS**, the purpose of this project is to create an area of native trees and shrubs along the unnamed stream to help filter pollutants such as nitrogen, phosphorus and sediments and to minimize erosions and help shade the stream; and

**WHEREAS**, this project is in furtherance of the Towns compliance obligations as an MS4 under the Phase II Storm Water program; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the Supervisor to execute the agreement between the Town and the Monroe County Soil and Water Conservation District subject to review and approval of the Counsel for the Town; and

**BE IT FURTHER RESOLVED**, to amend the 2016 revenue budget A2706 (Grants from Local Govt.) By an increase of \$14,250.00; and amend the 2016 expense budget A8090.4 (Environmental/Conservation-Contractual) by an increase of \$14,250.00.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #143 RE: Purchase of Pickup for Highway**

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

**WHEREAS**, included in the approved 2016 budget is the purchase of one (1) new pickup truck replacement; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the purchase from Chautauqua County Bid, Group 5, Item 3, one (1) Ford F-250 pickup from Van Bortel Ford, at a cost not to exceed \$34,000, to be paid from DA5130.2 (Machinery-Equipment).

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:**

**COUNCILMAN SLATTERY:** I know some of the audience is looking at why we're going through this so quick. We get this beforehand and we take the time to review it so we understand what is on here. The reason for that is so if we have questions, we can talk to the department heads, talk to the different departments and get back-up information so we're able to make an educated vote on this.

So if you're wondering why it is going so quick, we look at it ahead of time. This is also available for the public to take a look at, gives you time to take a look at it, as well. That is why we're able to go through it, as you may think, in a fast pace here. I just wanted to explain that to you.

**SUPERVISOR DUNNING:** If I could add -- thank you, Councilman. I would like to add to that, some of that, like our trucks are part of our budget. These are things we talked about earlier in the year, too.

**COUNCILMAN SLATTERY:** When we go through the budget, we meet with all of the department heads. It's a public meeting. Our budget book is pretty thick. As you may have heard earlier, our budget is millions of dollars that we take the time to go line by line through with each department head and hold their feet to the fire and have them explain to us why they need money on this certain line and why they need those purchases.

So I think it is very important for you to know we do our due diligence, but there is a process that goes on throughout the year, at not just one Town Board. I just wanted to explain

that a little to you.

SUPERVISOR DUNNING: Thank you.

**RESOLUTION #144 RE: Purchase of Pickup for Public Works.**

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

**WHEREAS**, included in the approved 2016 budget is the purchase of one (1) new pickup truck replacement; and

**NOW, THEREFORE, BE IT RESOLVED**, to authorize the purchase from Chautauqua County Bid, Group 5, Item 3, one (1) Ford F-250 pickup from Van Bortel Ford, at a cost not to exceed \$34,000, to be paid from SD8540.2 (Drainage-Equipment).

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #145 RE: Parks Security**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilman Brown**

**WHEREAS**, the Town of Chili contracts with a professional security company to provide seasonal park security; and

**WHEREAS**, an updated proposal from Reliant Security was received by the Town and reviewed by the Commissioner of Public Works and found to be acceptable; and

**NOW, THEREFORE, BE IT RESOLVED**, that Supervisor Dunning is hereby authorized to sign a contract with Reliant Security for seasonal park security services at a rate of \$21.00/per hour to be paid from A7110.4 (Park Security Guards).

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION # 146 RE: Purchase of Server Licensing**

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

**WHEREAS**, the Director of Management Information Services has determined that the Town needs additional server licensing for the network 'hot' recovery site server cluster at the DPW.

**NOW, THEREFORE, BE IT RESOLVED**, that the Director of Management Information Services is hereby authorized to purchase Microsoft Server Datacenter licensing for a sum not to exceed \$3,900.00 from A01.1680.2002 (Information Technology - Equipment) from Dell under New York State contract.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #147 RE: Amend Resolution #298 from the December 9, 2015 Town Board Meeting**

**OFFERED BY: Councilman Slattery      SECONDED BY: Councilman Brown**

**WHEREAS**, quotes were received from Liftech Equipment and George and Swede to install a new hoe ram (hydraulic breaker) on vehicle #216; and

**WHEREAS**, the quote from Liftech in the amount of \$13,000 was accepted at the 12/9/2015 meeting; and

**WHEREAS**, Liftech recently informed the Commissioner of Public Works that they are unable to complete the requested work; and

**NOW, THEREFORE, BE IT RESOLVED**, per the recommendation of David P. Lindsay, P.E, Commissioner of Public Works, to rescind the award to Liftech and to accept an amended bid from George and Swede in the amount of \$13,000 and to award the contract for said work to George and Swede for a cost to not exceed \$13,000.00 to be paid from DA02.5130.2 (Machinery Equipment).

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #148 RE: February 17, 2016 Abstract**

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

**WHEREAS**, January 4, 2016 Resolution #1 authorized vouchers to be paid February 17, 2016, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 20376-20402, 20406-20468 totaling \$1,754,127.00 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record vouchers 20376-20402, 20406-20468 were paid from the following funds:

General Fund	\$	65,023.60
Highway Fund		33,103.12
Drainage District		275.66
Fire Protection Districts		1,500.022.82
Sidewalk Districts		1,131.00
Ambulance Districts		<u>154,570.80</u>
Total Abstract	\$	1,754,127.00

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #149 RE: March 2, 2016 Abstract**

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

**WHEREAS**, January 4, 2016 Resolution #1 authorized vouchers to be paid March 2, 2016, by all Council signing a waiver form; and

**WHEREAS**, Council did authorize by a majority vote vouchers 20259, 20479, 20482-20492, 20496-20497, 20509-20528, 20531, 20535, 20537-20540, 20546-20588 totaling \$102,440.52 to be paid from the Distribution Account as presented by Virginia Ignatowski, Town Clerk; and

**NOW, THEREFORE, BE IT RESOLVED**, to note for the record vouchers 20259, 20479, 20482-20492, 20496-20497, 20509-20528, 20531, 20535, 20537-20540, 20546-20588 were paid from the following funds:

General Fund	\$	51,977.19
Highway Fund		34,700.42
Library Fund		1,735.66
Street Lighting Districts		12,142.25
Sidewalk Districts		<u>1,885.00</u>
Total Abstract	\$	102,440.52

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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**RESOLUTION #150 RE: March 16, 2016 Abstract**

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

**BE IT RESOLVED** to pay vouchers 20540, 20553, 20592-20628, 20631-20655, 20657-20684, 20689-20701, 20703, 20707-20708 totaling \$370,302.84 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 105,030.52
Highway Fund	259,296.32
H56 Annual Assessment Project	1,875.00
Fire Protection Districts	<u>4,101.00</u>
Total Abstract	\$ 370,302.84

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: I do have two additional resolutions that came up late this afternoon. I would like to add for sake of the audience this is appointment to one of our Boards and Committees. We had some interviews and interviewed some people and we got the result later -- late this afternoon as far as who we were going to appoint for that particular Committee.

COUNCILWOMAN SPERR: So they can still be appointed in time to attend some training.

SUPERVISOR DUNNING: Right.

**RESOLUTION #151 RE: Board of Assessment Review**

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

**BE IT RESOLVED** that Teresa Bill be appointed to the Board of Assessment Review to complete the term of Robert Everts, term to expire 12/31/2018 and shall be paid the sum of \$75.00 per meeting attended for the calendar year 2016, expenses to be paid by voucher as incurred.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

SUPERVISOR DUNNING: Another Board of the Town of Chili that had vacancy that we did interviews and late today made -- desired to make this appointment.

**RESOLUTION #152 RE: Ethics Committee**

**OFFERED BY: Councilman Slattery**                      **SECONDED BY: Councilman Brown**

**BE IT RESOLVED** that John Menard be appointed to the Ethics Committee for a three (3) year term to expire December 31, 2018.

Councilman Brown - Aye  
Councilman Slattery - Aye  
Councilwoman Sperr - Aye  
Supervisor Dunning - Aye

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SUPERVISOR DUNNING: Before I close tonight's meeting, I would like to also remind everyone since we have a large big group tonight, in June, and I don't remember the exact date, we will be cutting the ribbon for --

DAWN FORTE: 21st.

SUPERVISOR DUNNING: June 21st we'll be cutting the ribbon and turning on the water at the new spray park up at Union Station Park, so anybody that is interested in coming up and seeing us, I think it should be a fun place, great place to be.

Councilman Slattery and I have said -- promised we will not wear our Speedos, so you're welcome to join us and not have to lose your lunch doing so. So we hope some of you will consider doing this. It will be a fun place to be and hope once it is open, you will enjoy every moment being able to be there and get a little fun water time this summer.

COUNCILWOMAN SPERR: By Union Station Park, if you all know where that is by the lodge right there.

The next meeting of the Chili Town Board will be Wednesday, April 13, 2016 at 7:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.

The meeting was adjourned at 7:44 p.m.