

CHILI TOWN BOARD
December 12, 2018

A regular meeting of the Chili Town Board was held on December 12, 2018 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 DeCory; Councilman Slattery, Councilwoman Sperr and Supervisor David Dunning. Councilman Brown was excused.

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

The invocation was given by Virginia Ignatowski.

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

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 7:01 p.m.

MATTERS OF THE SUPERVISOR:

SUPERVISOR DUNNING: I would just like to -- and I -- again, Mark (DeCory), I probably will steal some of your thunder, but I will do it. I'd just like to say what a great job that our Recreation people did putting together -- and, of course, our Highway and DPW guys that did all of the work setting up things and maintaining order for our holiday celebration. I think we had a record turnout. There was a lot, a lot of people there. The floats were wonderful. Great time.

Just a lot of fun and just another one of those things that I -- I think I saw Ginny (Ignatowski) posted something about it's her favorite one of all things we do here. Truly that is just a wonderful, wonderful community event and I just want to thank everybody that was involved in putting that together.

David (Lindsay), please extend our gratitude to your guys. They really did a great job and, Mark (DeCory), please share with the Recreation people you work with we really appreciate it. Just want to say thank you. It was great.

MATTERS OF THE TOWN COUNCIL: Nothing to report.

The 11/14/2018 Town Board meeting minutes were approved as submitted.

REPORTS SUBMITTED:

2018 Y/E Report Architectural Advisory Committee
2018 Y/E Report Assessor
2018 Y/E Report BAR
2018 Y/E Report Building Department
2018 Y/E Report Conservation Board
2018 Y/E Report Drainage Committee
2018 Y/E Report Ethics
2018 Y/E Report Finance
2018 Y/E Report Historian
2018 Y/E Report Historic Preservation Board
2018 Y/E Report Library
2018 Y/E Report MIS
2018 Y/E Report Planning Board
2018 Y/E Report Parks & Recreation Committee
2018 Y/E Report Recreation Department
2018 Y/E Report Senior Center
2018 Y/E Report Town Clerk
2018 Y/E Report Traffic & Safety
2018 Y/E Report Zoning Board
2030 Comprehensive Plan Minutes – 10/24/2018, 2018 Y/E Report
Advanced Payment of Claims – November 2018
Architectural Advisory Committee Minutes – 10/9/2018, 11/13/2018
Building Department Report – November 2018
Dog Control Reports – November 2018
Historic Preservation Board Minutes – 10/15/2018, 11/19/2018

Library Board Minutes – 10/23/2018
Monthly Financial Report – October 2018
Parks & Recreation Minutes – 10/16/2018
Planning Board Minutes – 10/9/2018, 11/13/2018
Recreation Center Report – November 2018
Senior Center Report – November 2018
Town Clerk Report – November 2018
Traffic & Safety Committee Minutes – 11/1/2018

CORRESPONDENCE:

1. The Town of Chili has received notification from William Goebel, Highway Department that he is resigning effective November 21, 2018.
2. The Town of Chili has received notification from Joseph Schweigert, Court that he is resigning effective December 17, 2018.

COUNCILWOMAN SPERR: Joe (Schweigert) has been with us a long time.

SUPERVISOR DUNNING: Joe (Schweigert) has been with us a long time. I just want to thank him for his service to the Court, too. Joe (Schweigert) has been a great court attendant for many, many years. So we wish him well and what he does in his real retirement now.

**RESOLUTION #260 RE: ADOPTION OF LOCAL LAW#___ OF 2018 ENTITLED
“Addition of Massage Business and Amend Chapter 500, Article III, District
Regulations and Article XV, Word Usage and Definitions of the Town of Chili
Town Code”.**

OFFERED BY: Councilman Slattery SECONDED BY: Councilman DeCory

WHEREAS, a proposed Local Law #___ of the year 2018 entitled “Addition of Massage Business and Amend Chapter 500, Article III, District Regulations and Article XV, Word Usage and Definitions of the Town of Chili Town Code” was introduced to the Town Board of the Town of Chili by Councilman Slattery on the 17th day of October, 2018; and

WHEREAS, at a meeting of the Chili Town Board held at the Town Hall in the Town of Chili, New York on the 14th day of November, 2018, a public hearing was held at 7:00 p.m. to consider adoption of the proposed Local Law #___ of the year 2018 entitled “Addition of Massage Business and Amend Chapter 500, Article III, District Regulations and Article XV, Word Usage and Definitions of the Town of Chili Town Code” to said Local Law; and

NOW, THEREFORE, Local Law #___ of 2018, as amended is hereby enacted by the Town Board of the Town of Chili.

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

**RESOLUTION #261 RE: To Order Demolition of Structures at 2852 Chili Avenue
Owned By Igor Podzorov**

OFFERED BY: Councilman DeCory 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 situate on premises at 2852 CHILI AVENUE, TOWN OF CHILI, NY designated by Tax Map No. 133.20-1-62, 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 having held a public hearing(s) on November 14, 2018 and all interested parties having had an opportunity to be heard; and

WHEREAS, the Town Board of the Town of Chili after reviewing said report in regard thereto and after having duly deliberated upon the same, and having determined that the recommendations of said report should be implemented; and

NOW, THEREFORE, BE IT RESOLVED, that the proposed Order attached hereto is hereby adopted, subject to review and final approval of counsel of the town.

UNSAFE BUILDINGS: ORDER TO REPAIR/REMOVE AFTER PUBLIC HEARING

TOWN OF CHILI COUNTY OF MONROE
STATE OF NEW YORK

IN THE MATTER

OF ORDER 2852 CHILI AVENUE, ROCHESTER, NY 14624

PROCEEDINGS TO REMOVE AND/OR REPAIR UNSAFE
BUILDINGS AND COLLAPSED STRUCTURES
ON PREMISES REPUTEDLY OWNED
BY IGOR PODZOROV

TO IGOR PODZOROV:

THE FOLLOWING IS AN ORDER OF THE TOWN BOARD OF THE TOWN OF CHILI, after conducting Public Hearing(s) held on November 14, 2018, in the above captioned matter;

Now upon the Building Department Manager of the Town of Chili, Monroe County, having filed a written report with the Town Board of the Town of Chili, regarding property located at 2852 Chili Avenue, designated by Monroe County, Tax Map No. 133.20-1-62, deeming the same to be unsafe to the public a copy of which is attached and incorporated herein.

And the Town Board of the Town of Chili, after considering said report, and pursuant to the provisions of said local law, by resolution duly adopted at its October 17, 2018 meeting did set the date for Public Hearing(s), to determine whether, in the opinion of the Town Board of the Town of Chili that said structures or buildings are unsafe and dangerous and should be secured in the manner requested by the Building Department Manager.

And the Notice of the Public Hearing was published in the Official Newspaper of the Town of Chili on November 1, 2018.

And a copy of the Notice of Public Hearing was affixed to the building(s) in question on October 23, 2018.

And a copy of the Notice of Public Hearing was mailed to the property owners on October 23, 2018.

And upon the Public Hearing(s) having been held on November 14, 2018, all exhibits and evidence and testimony presented therein and all interested parties having had an opportunity to be heard.

Now, therefore it is:

ORDERED, that

The remains of the home and garage foundations should be demolished and all debris produced by such demolition should be removed from the property and safely disposed of in an appropriate land fill. After demolition, the excavation should be filled with clean fill and brought level with the grade of the parcel.

All brush and grass should be cut and cleared and the clippings removed from the property and safely disposed of in an appropriate land fill, and

ORDERED, all work, repairs and/or removal must be commenced within 20 days of the service upon you of this ORDER and be completed within 45 days thereafter unless for good cause shown such time shall be extended by the Town of Chili Building Department Manager, and

ORDERED, that in the event of any neglect or refusal to comply with this ORDER of said TOWN BOARD OF THE TOWN OF CHILI as detailed herein, the Town Board of the Town of Chili is authorized to provide for the demolition and/or removal of said structures and to assess all expenses thereof against the land on which they are located and to institute a special proceeding to collect the costs of demolition, including legal expenses.

Dated: _____

Virginia Ignatowski
Town Clerk
Town of Chili

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

RESOLUTION #262 RE: Fire and Ambulance Contracts

OFFERED BY: Councilman Slattery SECONDED BY: Councilman DeCory

BE IT RESOLVED that Supervisor Dunning be authorized to sign Fire and Ambulance Contracts in accordance with the 2019, budgeted amounts, pending review of counsel.

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

RESOLUTION #263 RE: Chili Fire Department 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 from the exempt list effective December 10, 2018:

Evan Engelbrecht & Calvin Nau

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

RESOLUTION #264 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 November 12, 2018:

Blake Herring

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

RESOLUTION #265 RE: Donation to the Senior Center Trust and Agency Account

OFFERED BY: Councilman DeCory SECONDED BY: Councilwoman Sperr

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 accept a \$100 donation from St. Pius Seasoned People to be deposited in the Senior Center Trust and Agency.

Councilman Brown - Absent
Councilman DeCory - Aye
Councilman Slattery - Aye

Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #266 RE: Set a Public Hearing to consider adoption of Local Law # _____ of 2019 Addition to Chapter 451, Article VIII, "Cold War Veterans Exemption" of the Town Chili Town Code

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman DeCory

BE IT RESOLVED that Local Law # _____ of 2019 to authorize the Addition to Chapter 451, Article VIII "Cold War Veterans Exemption" of the Town of Chili Town Code as indicated above is hereby introduced, and that a meeting of the Town Board of the said Town of Chili shall be held at the Chili Town Hall, 3333 Chili Avenue, Town of Chili, New York on the 16th day of January, 2019, at 7:00 p.m. to consider the said Local Law 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 Local Law as may be proper or required by law; and it is further

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili hereby declares itself lead agency for SEQR review purposes and determines this Action to be a Type II Action; and

ORDERED, that the Town Clerk of the Town of Chili is hereby authorized and directed to publish a notice of said Public Hearing in the Official Publication Newspaper of the Town 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) day(s) prior to the date set for said public hearing.

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

RESOLUTION #267 RE: Monroe County Snow & Ice Agreement

OFFERED BY: Councilman DeCory SECONDED BY: Councilwoman Sperr

BE IT RESOLVED to authorize the Town Supervisor to execute an Intermunicipal Agreement with the County of Monroe to provide snow and ice control on all County roads within the Town of Chili; and

BE IT FURTHER RESOLVED, that this Agreement is to be for a five year period commencing on October 1, 2018 with the total estimated payment from the County for the 2018/2019 season of \$205,612.90. Each year the rate of reimbursement will be adjusted for labor, equipment, and materials based upon a review of the previous year's actual costs and formulas to be mutually agreed upon as indicated within the Agreement.

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

RESOLUTION #268 RE: Letter of Credit Release #4 for King Forest Section 6, Phase A

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer, \$15,706.73 be released from the letter of credit #520005369 with Bank of Castile for King Forest Section 6, Phase A, leaving a balance of \$16,464.97; subject to engineering fees and street light bills to the Town.

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

RESOLUTION #269 RE: Letter of Credit Release #7 for Carriage House, Section 3

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

WHEREAS, that per recommendation of the Commissioner of Public Works and Town Engineer that \$8,437.50 be released from the letter of credit #520005347 with Bank of Castile for Carriage House, Section 3, leaving a balance of \$107,146.20; subject to engineering fees and street light bills to the Town.

Councilman Brown - Absent
Councilman DeCory - Abstained
Councilman Slattery - Aye
Councilwoman Sperr - Aye
Supervisor Dunning - Aye

RESOLUTION #270 RE: 2018 Budget Amendments

OFFERED BY: Councilman DeCory SECONDED BY: Councilman Slattery

BE IT RESOLVED to transfer \$150 from A5010.4 (Supt of Highway – Miscellaneous) to A5010.1 (Superintendent of Highway - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$4,000 from A7110.4 (Parks – Parks Security Guards) to A7110.1 (Parks - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$200 from A1410.4 (Town Clerk – General Code Updates) to A1330.1 (Tax Collector - Personnel); and

BE IT FURTHER RESOLVED, to transfer \$225 from A1410.4 (Town Clerk – General Code Updates) to A1410.1 (Town Clerk - Personnel).

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

RESOLUTION #271 RE: Building Permit Refund

OFFERED BY: Councilman Slattery SECONDED BY: Councilwoman Sperr

BE IT RESOLVED that per recommendation of Paul Wanzenried, Building Department Manager, a refund of \$2000.00 (for Zoning Application #1200 (from A2110 Zoning Fees) be issued to Paul Road Industrial Park, LLC for a variance that had been previously granted.

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

RESOLUTION #272 RE: November 21, 2018 Abstract

OFFERED BY: Councilman DeCory SECONDED BY: Councilwoman Sperr

WHEREAS, January 3, 2018 Resolution #1 authorized vouchers to be paid November 21, 2018, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 29522,29524, 29531-29532, 29585, 29606-29613, 29615-29627, 29629-29669, 29672-29690, 29692, 29695-29706, 29708-29727, 29740-29744, 29753, 29815, 29827, 29850, 29854-29856, 29860, 29862-29868, 29871-29873, 29875, 29879, 29883-29941, 29948-29982, 29986-29990 totaling \$234,734.88 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 29522,29524, 29531-29532, 29585, 29606-29613, 29615-29627, 29629-29669, 29672-29690, 29692, 29695-29706, 29708-29727, 29740-29744, 29753, 29815, 29827, 29850, 29854-29856, 29860, 29862-29868, 29871-29873, 29875, 29879, 29883-29941, 29948-29982, 29986-29990 were paid from the following funds:

General Fund	\$ 86,708.00
Admin Facility Reserve	20,506.08
Comprehensive Plan Reserve	1,560.00
Highway Fund	117,521.60
H45 Widener Park	7,100.00
Private Purpose Trust	1,339.20
Total Abstract	\$234,734.88

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

TOWN BOARD DISCUSSION RELATED TO THE FOLLOWING RESOLUTION:

COUNCILMAN SLATTERY: In regards to the Union Station Park, what do we have left in regards to that?

SUPERVISOR DUNNING: In --

COUNCILMAN SLATTERY: For funding? For the H52, is --

SUPERVISOR DUNNING: The specific amounts left in that fund?

COUNCILMAN SLATTERY: Right.

SUPERVISOR DUNNING: I don't know what it is off the top of my head.

DAVID LINDSAY: I think this closes it out, I believe.

COUNCILMAN SLATTERY: I thought we were close before.

DAVID LINDSAY: I think this wraps up what we're trying to do in 2018.

SUPERVISOR DUNNING: I apologize. Mr. Knapp had a family emergency and couldn't be here. But I could get that to you tomorrow.

COUNCILMAN SLATTERY: In regards to -- I know were looking at budget time in regards to the park, you know, by the spray park, about the different thing for shade.

Have we come up with anything in regard to that?

DAVID LINDSAY: We have. We will replicate the existing shelter here. We purchased the materials with some of these funds here and will basically construct it over the winter and put it up in the springtime.

COUNCILMAN SLATTERY: Where is that going to be located?

DAVID LINDSAY: It will be around the pad. We just haven't picked a corner yet, but right at the spray pad.

COUNCILMAN SLATTERY: Beautiful.

SUPERVISOR DUNNING: In the sunniest spot.

COUNCILMAN SLATTERY: Okay. That's the whole thing. This will be pretty large. There is not enough funds. (Laughter).

SUPERVISOR DUNNING: He already said he will replicate the current one. So it will not be that big.

COUNCILMAN SLATTERY: No, really.

SUPERVISOR DUNNING: Any other questions or comments?

COUNCILMAN SLATTERY: Thanks, Santa. (Laughter.)

RESOLUTION #273 RE: December 5, 2018 Abstract

OFFERED BY: Councilwoman Sperr SECONDED BY: Councilman DeCory

WHEREAS, January 3, 2018 Resolution #1 authorized vouchers to be paid December 5, 2018, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 29538, 29942, 29945, 29995-29996, 30000-30001, 30004-30008, 30018-30021, 30030, 30034-30035, 30042-30067, 30069-30116, 30118-30120 totaling \$845,005.78 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 29538, 29942, 29945, 29995-29996, 30000-30001, 30004-30008, 30018-30021, 30030, 30034-30035, 30042-30067, 30069-30116, 30118-30120 were paid from the following funds:

General Fund	\$ 402,260.68
Admin Facility Reserve	2,042.36
Highway Fund	248,171.44
Library Fund	83,911.37
H52 Union Station Park	2,820.50
H60 Community Center	90,012.24
Consolidated Drainage District	1,251.59

Street Lighting Districts	13,535.60
Private Purpose Trust	<u>1,000.00</u>
Total Abstract	\$ 845,005.78

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

SUPERVISOR DUNNING: I would like to wish everyone a very Merry Christmas, happy holiday. Whatever it is you celebrate this time of year, hope you have a happy one.

COUNCILWOMAN SPERR: Will you leave this open?

SUPERVISOR DUNNING: This meet is being -- I'm not done yet. I just wanted to say Merry Christmas and happy holidays to everybody.

COUNCILWOMAN SPERR: I'm sorry.

SUPERVISOR DUNNING: This meeting is -- is recessed until Monday, December 31st at noon in which we'll conclude this agenda.

The next meeting of the Chili Town Board will be recessed until Monday, December 31, 2018 at 12:00 p.m. in the Town of Chili, Town Hall Main Meeting Room.