

Chili Town Board Meeting

June 12, 2024

Agenda

A. Call to Order

B. Invocation

Pledge of Allegiance

C. Roll Call

Councilman **Mark L. DeCory**

Councilwoman **Mary C. Sperr**

Councilman **Michael S. Slattery**

Councilman **James V. Valerio**

Supervisor **David J. Dunning**

D. Officials/Advisors:

Town Clerk **Virginia Ignatowski**

Deputy Town Supervisor **Councilman Slattery**

Counsel for the Town **Jared Hirt**

Commissioner of Public Works/Superintendent

Of Highways **David P. Lindsay, P.E.**

Director of Finance **Daniel Knapp**

Insurance Counselor **Scott Bonnewell**

Supervisor's Office **Dawn Forte**

Stenographer **Sandy Hewlett**

FIRE SAFETY ANNOUNCEMENT: In the event of an emergency requiring the evacuation of the building, please use the indicated exits to my right, left and rear of the room to exit the building.

CELLULAR PHONES: Please turn off all cell phones or put them on silent mode.

E. Presentations/announcements:

1. Jack Hill, Proposal to Rezone 2675 Chili Avenue from the R-1-15 District to NB.

F. Public Hearings: Anyone wishing to be heard at a public hearing, please step up to the podium.

G. Public Forum

The Public Forum is intended to provide an opportunity for people to address the Town Board on any topic. Those wishing to be heard may raise their hand once the public forum starts, The Supervisor will call upon those who desire to address the Town Board until all have been heard. For those who will be addressing the Town Board through our Live Streaming, may enter their comments on the live feed. Those comments will be read by the Supervisor once all who are physically present have been heard. During the Public Forum period, each person will be allowed to comment for up to five minutes. Comments should be addressed directly to the Supervisor. Be respectful and courteous keeping comments as concise as possible. Questions pertaining to Agenda items will be answered when the Resolution is Moved and Seconded, Questions on topics not pertaining to the Agenda will be addressed at the conclusion of the Public Forum time, if at all possible. Virginia L. Ignatowski, Town Clerk, or her designee will keep the time and notify you when you have 30 seconds remaining so that you can conclude your comments within the allotted time.

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H. *Matters of the Supervisor* –

New Matters:

Pending Matters:

Matters of the Town Council –

New Matters:

Pending Matters:

I. Approval of Minutes – 5/15/2024

Reports Submitted –

Advanced Payment of Claims – May 2024

Architectural Advisory Committee – 9/12/2023 (No Mtgs. Oct, Nov, Dec 2023, Jan, Feb, March, April, May 2024)

Building Department Report – May 2024

Conservation Board – 5/6/2024

Dog Control Reports – May 2024

Historic Preservation Minutes – 5/13/2024 (No April Meeting)

Library Board Minutes – 4/23/2024

Monthly Financial Report – April 2024, May 2024

Planning Board Minutes – 5/14/2024

Recreation/Senior Center Report – May 2024

Town Clerk Report – May 2024

Traffic & Safety Minutes – 5/2/2024

Zoning Board Minutes – 4/23/2024

J. Correspondence –

1. Virginia Ignatowski, Town Clerk has received notification from Ashley Kroll, Recreation Supervisor that she is resigning; effective June 21, 2024.
2. The Town of Chili has received notification from Mihajlo Soklevski that he has resigned; effective June 4, 2024.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #148 RE: 2024 Budget Amendments

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, to transfer \$335.00 from A7520.4 (Historical Property – Utilities) to A7519.4 (Historical Preservation Board - Contractual).

RESOLUTION #149 RE: Barstool Golf Management, LLC

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Town’s special counsel for tax review proceedings and the Town’s Assessor have recommended settlement of an RPTL Article 7 Judicial Review proceeding and commenced by Barstool Golf Management, LLC at 172.04-1-8.11, 760 Chili Scottsville Road; and

WHEREAS, acceptance of this recommendation and settlement of this action, at this time, in in the best interests of the taxpayers of the Town of Chili; and

NOW, THEREFORE, BE IT RESOLVED, that the Town’s special counsel, its Assessor and the Supervisor are hereby authorized to execute the necessary paperwork to settle the tax proceedings commenced by Barstool Golf Management LLC, being index number E2023008337 and to take whatever action is appropriate to discontinue said actions.

RESOLUTION #150 RE: Establish Letter of Credit for 30 King Road, Phase 1

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that per the recommendation of the Commissioner of Public Works/Superintendent of Highways and Town Engineer that a letter of credit be established for 30 King Road, Phase 1 in the amount of \$123,407.25.

Items within the letter of credit include, but are not limited to storm sewers, post construction storm water control features and erosion and sediment control.

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RESOLUTION #151 RE: Letter of Credit Release #2 – Final for 39 Jetview – Sydor Optics

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that per recommendation of the Town Engineer and Commissioner of Public Works that, \$22,327.00 be released from Letter of Credit#SB2422950001 with M&T Bank for 39 Jetview Drive (Sydor Optics). Said release leaves a balance of \$0.00, resulting in said Irrevocable Letter of Credit being closed out; subject to any outstanding engineering fees to be paid to the Town for the project.

RESOLUTION #152 RE: Funding for LED Street Light Conversion

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Town of Chili is in the process of converting the street lights from cobra head lights to LED; and

WHEREAS, as of December 31, 2023, the Town had funds in the General Fund Assigned Unappropriated Fund Balance for use towards a series of ongoing and upcoming projects; and

WHEREAS, in an effort to reduce the fiscal burden on the current and future budgets, the Town wishes to use funds from the General Fund Assigned Unappropriated Fund Balance for the costs related to street light conversion; and

NOW, THEREFORE, BE IT RESOLVED, to amend expense budget A5182.4 (Street Lighting – Street Lights) by an increase of \$35,000.00; and

BE IT FURTHER RESOLVED, to expend an amount not to exceed \$35,000.00 from the General Fund Assigned Unappropriated Fund Balance on the street light conversion.

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RESOLUTION #153 RE: Authorize Agreement for Light Emitting Diode (LED) Cobra Head Street Light Conversion

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Town of Chili and the Rochester Gas and Electric Corporation (RG&E) have reviewed and analyzed the benefits of converting various existing cobra head lights to LED; and

WHEREAS, it is recommended by the Commissioner of Public Works that completing the conversion of various cobra head lights to LED at this time is in the best interest of the Town of Chili; and

WHEREAS, RG&E has provided the Town with an estimated cost for the conversion of \$28,735.70; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the Town Supervisor to execute the Light Emitting Diode Cobra Head Street Light Conversion Agreement with RG&E for a total project cost not to exceed \$35,000.00, subject to the review and acceptance by the Counsel for the Town, to be paid from A5182.4 (Street Lighting – Street Lights).

RESOLUTION #154 RE: Funding for Town Hall Soffits

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the Town of Chili is in the process of replacing the soffits on the Town Hall; and

WHEREAS, as of December 31, 2023, the Town had funds in the General Fund Assigned Unappropriated Fund Balance for use towards a series of ongoing and upcoming projects; and

WHEREAS, in an effort to reduce the fiscal burden on the current and future budgets, the Town wishes to use funds from the General Fund Assigned Unappropriated Fund Balance for the costs related to replacement of the soffits at the Town Hall facility; and

NOW, THEREFORE, BE IT RESOLVED, to amend expense budget A1620.2 (Buildings - Equipment) by an increase of \$75,000.00; and

BE IT FURTHER RESOLVED, to expend an amount not to exceed \$75,000.00 from the General Fund Assigned Unappropriated Fund Balance on the Town Hall soffits.

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RESOLUTION #155 RE: Town Hall Soffit Replacements

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, the gutters and roof were recently replaced at the Town Hall as part of a roof rehabilitation project that will extend the roof service life up to fifty years; and

WHEREAS, to fully complete the roof rehabilitation project it is necessary to replace the existing vinyl soffits; and

WHEREAS, the Town of Greece solicited bids to establish a statewide Job Order Contracting Services in 14 separate regions whereby each region received separate bids for the following trades: General Construction, HVAC, Electrical, Plumbing, and Site Work; and

WHEREAS, the Town of Greece publicly opened the bids on March 7, 2024; and

WHEREAS, Pike Construction Services, Inc. (aka the Pike Company) was the lowest responsible bidder for General Construction (JOC-2024-15-GC) for Region 15 (Monroe and Livingston Counties) for the contract period from 2024 through 2025; and

WHEREAS, Pike Construction Services, Inc. appears on the approved vendor list of the New York State Office of General Services, and are qualified to perform public work for various owners in New York State; and

WHEREAS, the Town of Chili wishes to utilize this Job Order Contracting Service and cooperative bidding process; and

WHEREAS, representatives from Gordian and Pike Construction Services, Inc. performed a walkthrough of the Town Hall Facility with Town of Chili DPW Staff for the purpose of producing an appropriate Detailed Scope of Work Activities (Job Order Reference No. 128591.0) and corresponding Contractor Price Proposal in accordance with JOC-2024-15-GC to furnish all labor, equipment, and materials required to replace the existing soffit materials at the Town Hall; and

NOW, THEREFORE, BE IT RESOLVED per the recommendation of the David P. Lindsay, P.E, Commissioner of Public Works, to approve Job Order Reference No. 128591.0 for a cost not to exceed \$75,000.00, to be paid from A1620.2 (Buildings – Equipment); and

BE IT FURTHER RESOLVED, to authorize the Supervisor to sign the contract with Pike Construction Services, Inc., subject to the review and acceptance by the Counsel for the Town.

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RESOLUTION #156 RE: ARPA/ SLFRF Funds – Veteran’s Memorial

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, in 2021, the Federal Government passed the American Rescue Plan Act (ARPA), which included the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program, to deliver funds to state, local and tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency; and

WHEREAS, the SLFRF program provides governments the resources needed to fight the pandemic and support families and businesses struggling with its public health and economic impacts, maintain vital public services, and build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity; and

WHEREAS, the Town of Chili has received funding from the SLFRF program and wishes to use proceeds from that program for the benefit of the community by constructing a new veteran’s memorial at the community center; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue account A4089 (Federal Aid - Other) by an increase of \$8,000.00; and to amend expense account A7110.2 (Parks - Equipment) by an increase of \$8,000.00.

RESOLUTION #157 RE: Authorize Use of Landscaping Fund for Tree Planting

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, on May 6, 1992, on Resolution # 335, the Town established the Landscaping Fund for the express purpose of purchasing and planting trees, shrubbery, and other such similar landscaping; and

WHEREAS, on February 14, 2024, on Resolution # 90, the Town adopted a Tree Planting Policy; and

WHEREAS, the purpose of said policy is to allow for the annual planting of trees within the Town parks over a five (5) year period to provide additional shade trees and beautification of the parks; and

WHEREAS, the Conservation Board has provided the Commissioner of Public Works with a recommended species of tree, tree size and planting locations; and

WHEREAS, the Commissioner of Public Works has determined that the estimated cost for the first year’s installation of three (3) trees is approximately \$1,200.00; and

NOW, THEREFORE, BE IT RESOLVED, that funds in an amount not to exceed \$1,200.00 from the Landscaping Fund be used to pay for the costs related to planting new trees, to be paid from account CM8090.4000.0085 (Environmental Control – Contractual – Landscaping Fund).

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RESOLUTION # 158 RE: In Memory of Madeleine Campoli

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, we the Town Board of the Town of Chili find it befitting to extend our deepest sympathy to the Campoli family during the passing of Madeleine Campoli, who on June 8, 2024 passed away; and

WHEREAS, Madeleine Campoli served from 9/11/1972 – 4/26/1991 as a Telephone Operator for the Town of Chili; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili hereby sets aside this special page of their minutes from this Town Board Meeting in her honor and takes a moment of silence in Madeleine Campoli’s memory. The Town Clerk is hereby directed to send a copy of this resolution to the Campoli family.

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RESOLUTION #159 RE: Clifton Fire Department Active List

OFFERED BY: _____ **SECONDED BY:** _____

BE IT RESOLVED, that the following individual(s) be added to the Clifton Fire Department active list effective June 3, 2024:

Eric Williams

RESOLUTION #160 RE: June 5, 2024 Abstract

OFFERED BY: _____ **SECONDED BY:** _____

WHEREAS, January 2, 2024 Resolution #1 authorized vouchers to be paid June 5, 2024, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 46360, 46440-46442, 46446-46450, 46456-46461, 46473-46490, 46498-46533, 46536-46567 totaling \$319,024.16 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 the above listed vouchers were paid from the following funds:

General Fund	\$ 226,186.15
Recreation Facility Reserve	1,267.91
General Fleet Reserve	12,006.47
Highway Fund	57,261.41
Library Fund	2,764.90
Drainage District	1,328.08
Street Lighting Districts	15,757.90
Sidewalk Districts	2,451.34
Total Abstract	<u>\$ 319,024.16</u>

The next meeting of the Chili Town Board will be on July 17, 2024 at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.