

Chili Town Board Meeting
November 13, 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. Jess Sudol, PE, Incentive Zoning Application for 3231, 3235, 3249 & 3253 Chili Avenue.

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

1. Local Law 4 of 2024 Establishing a Six Month Moratorium on Tier 3 Solar Energy Approvals within the Town of Chili.

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 – 10/16/2024

Reports Submitted –

Advanced Payment of Claims – October 2024

Building Department Report – October 2024

Conservation Board – 9/9/2024, 10/7/2024

Dog Control Reports – October 2024

Historic Preservation Minutes – 9/16/2024

Library Board Minutes – 9/24/2024

Monthly Financial Report –

Planning Board Minutes –

Recreation/Senior Center Report –

Town Clerk Report – October 2024

Traffic & Safety Minutes – 10/3/2024

Zoning Board Minutes – 9/24/2024

J. Correspondence –

1. The Town of Chili has received notification from Edgardo Medero, DPW Department that he has resigned; effective October 11, 2024.

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #216 RE: Authorizing Surety, Form, and Amount of Official Undertaking for the Faithful Performance of the Duties of the Town Clerk and Receiver of Taxes and Assessments

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

BE IT RESOLVED, as follows:

Section 1. The Town Board hereby approves the surety, form, and amount of the official undertaking for the faithful performance of the duties of the Town Clerk and Receiver of Taxes and Assessments as follows:

Type of Undertaking: Government - Form P-Faithful Performance
Insurance company: Utica National Insurance Group
Amount: \$500,000.00

Section 2. A true copy of this resolution shall be affixed to the undertaking to indicate this Board's approval thereon in accordance with Town Law Section 25.

RESOLUTION #217 RE: Adopting Assessment Rolls for 2025 for Lighting Districts, Drainage District, Fire District, Fire Protection Districts, Ambulance District, Park District, and Sidewalk Districts.

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

WHEREAS, this Board on October 16, 2024 commencing at 7:00 p.m., duly held public hearing(s) on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2025, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance district, park district and sidewalk districts, for 2025, and having heard all persons desiring to be heard in the matter and said assessment rolls for said fiscal year having been fully discussed and considered by the Town Board acting on behalf of all said Districts; and

BE IT RESOLVED, that the assessment rolls for 2025 for the various lighting districts, drainage district, fire district, fire protection districts, ambulance district, park district and sidewalk districts as printed in the preliminary budget, are hereby adopted and established as the final assessment rolls for the fiscal year beginning January 1, 2025; and

BE IT FURTHER RESOLVED, that said assessment rolls be and the same hereby are filed in the Office of the Town Clerk.

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RESOLUTION #218 RE: Adoption of the Annual Town Budget for 2025

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

WHEREAS, this Board on October 16, 2024 commencing at 7:00 p.m., duly held public hearings on the preliminary budget approved by this Board and filed with the Town Clerk for the fiscal year commencing January 1, 2025, including the assessment rolls for the lighting districts, drainage district, fire district, fire protection districts, ambulance district, park district, and sidewalk districts, for 2025, and having heard all persons desiring to be heard in the matter of the budget for this Town for such fiscal year having been fully discussed and considered; and

BE IT RESOLVED, that said preliminary budget is approved and filed, including the budgets for the lighting districts, drainage district, fire protection districts, ambulance district, park district, and sidewalk districts for 2025, and that such annual budget is so adopted as detailed in the minutes of the proceedings of this Town Board; and

BE IT FURTHER RESOLVED, that the salaries of the elected officials included in the 2025 budget and as set forth in the published notice are adopted as published; and

BE IT FURTHER RESOLVED, that the Town Clerk shall prepare and certify as provided by law, triplicate copies of the said annual budget hereby adopted and deliver one such copy to the Supervisor of the Town and two copies to the County of Monroe as required by law.

RESOLUTION #219 RE: Fire and Ambulance Contracts

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

BE IT RESOLVED, that Supervisor Dunning be authorized to sign Fire and Ambulance Contracts in accordance with the 2025 Budget, pending review of counsel.

RESOLUTION #220 RE: Penflex Inc. Agreement

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

BE IT RESOLVED, that Supervisor Dunning is authorized to enter into a Service Fee Agreement with Penflex, Inc. to perform standard administrative services for the Chili Fire Department Inc. Service Award Program for the term November 1, 2024, to October 31, 2025, as well as actuarial services in connection with the GASB 73 required financial statement disclosures.

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**RESOLUTION #221 RE: SEQR Status for Adoption of Local Law #4 of 2024 for a Six Month
Moratorium on Tier 3 Solar Energy System Approvals in the Town of Chili**

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

WHEREAS, that the Town Board classifies the adoption of proposed Local Law #4 of 2024 to be a Type II action under the provisions of Section 617.5 of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated thereunder; and

NOW, THEREFORE, BE IT RESOLVED, that the Board in making this Classification has satisfied the procedural requirements under SEQR and directs this Resolution to be placed in the file on this Action.

**RESOLUTION #222 RE: Adoption of Local Law #4 of 2024 for a Six Month Moratorium on Tier 3
Solar Energy System Approvals in the Town of Chili Town Code**

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

WHEREAS, a proposed Local Law #4 of the year 2024 to the Code of the Town of Chili, for a Six Month Moratorium on Tier 3 Solar Energy System Approvals in the Town of Chili was introduced to the Town Board of the Town of Chili on the 16th day of October, 2024; and

WHEREAS, at a meeting of the Chili Town Board held at the Town Hall in the Town of Chili, New York on the 13th day of November, 2024 a public hearing was held at 7:00 p.m. to consider the adoption of a proposed Local Law #4 of the year 2024 to the Town Code of the Town of Chili, for a Six Month Moratorium on Tier 3 Solar Energy System Approvals and discussion upon the matter having been had and all persons desiring to be heard having been duly heard; and

NOW, THEREFORE, BE IT RESOLVED, upon the evidence obtained by the Town Board at said public hearing and upon all other information obtained and reviewed by the Board; and

NOW, THEREFORE, BE IT RESOLVED, that Local Law #4 of 2024 is hereby enacted by the Town Board of the Town of Chili.

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RESOLUTION #223 RE: 2024 Budget Amendments

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

BE IT RESOLVED, to transfer \$250.00 from A1990.4 (Contingency) to A1460.4 (Records Management – Projects); and

BE IT FURTHER RESOLVED, to transfer \$1,600.00 from A5010.1 (Superintendent of Highway – Personnel) to A1490.1 (Dept. of Public Works – Personnel); and

BE IT FURTHER RESOLVED, to transfer \$2,000.00 from A3620.1 (Safety Inspection – Personnel) to A 3410.1 (Fire Marshal – Personnel); and

BE IT FURTHER RESOLVED, to transfer \$5,000.00 from A7020.1 (Recreation Admin – Personnel) to A7310.1 (Youth Programs – Personnel); and

BE IT FURTHER RESOLVED, to transfer \$1,350.00 from A1990.4 (Contingency) to A1310.1 (Director of Finance – Personnel); and

BE IT FURTHER RESOLVED, to transfer \$750.00 from A1990.4 (Contingency) to A1330.1 (Tax Collector – Personnel); and

BE IT FURTHER RESOLVED, to transfer \$4,400.00 from A1990.4 (Contingency) to A1410.1 (Town Clerk – Personnel); and

BE IT FURTHER RESOLVED, to transfer \$350.00 from A1990.4 (Contingency) to A1430.1 (Personnel – Personnel); and

BE IT FURTHER RESOLVED, to transfer \$1,100.00 from A1990.4 (Contingency) to A1680.1 (Information Technology – Personnel); and

BE IT FURTHER RESOLVED, to amend budget SL5182.4236.0304 (Street Lighting – Pumpkin Hill) by an increase of \$600.00; and

BE IT FURTHER RESOLVED, to amend Pumpkin Hill Lighting District Fund appropriated fund balance to \$600.00 from the 2024 adopted budget amount of \$0; and

BE IT FURTHER RESOLVED, to amend budget SL5182.4236.0312 (Street Lighting – Blueberry Hill) by an increase of \$700.00; and

BE IT FURTHER RESOLVED, to amend Blueberry Hill Lighting District Fund appropriated fund balance to \$700.00 from the 2024 adopted budget amount of \$0; and

BE IT FURTHER RESOLVED, to amend budget SL5182.4236.0335 (Street Lighting – Chili Consolidated District #1) by an increase of \$9,000.00; and

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BE IT FURTHER RESOLVED, to amend Chili Consolidated District #1 Lighting District Fund appropriated fund balance to \$9,000.00 from the 2024 adopted budget amount of \$0; and

BE IT FURTHER RESOLVED, to transfer \$65,000.00 from DA5142.4 (Snow Removal Miscellaneous) to DA5110.4 (General Repairs – major Maintenance Projects); and

BE IT FURTHER RESOLVED, to transfer \$5,000.00 from DA5142.4 (Snow Removal Miscellaneous) to DA5110.2 (General Repairs – equipment); and

BE IT FURTHER RESOLVED, to transfer \$4,000.00 from A8160.4 (Refuse/Garbage – temp help) to A3310.4371 (Traffic Control - signs); and

BE IT FURTHER RESOLVED, to transfer \$5,000.00 from A8160.4 (Refuse/Garbage –temp help) to A7110.4 (Parks – construction); and

BE IT FURTHER RESOLVED to transfer \$500.00 from A1990.4 (Contingency) to A1670.4 (Postage).

RESOLUTION #224 RE: Transfer to Equipment Reserves

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

WHEREAS, an auction of equipment was held in October 2024 and the Town received proceeds of \$41,450.00 for the sale of that equipment; and

WHEREAS, it has been advantageous to transfer the auction proceeds to equipment reserves for future use; and

NOW, THEREFORE, BE IT RESOLVED, to amend revenue budget DA2665 (Sales of Equipment) by an increase of \$41,450.00 and amend expense budget DA9901.9 (Interfund Transfers) by an increase of \$41,450.00; and

BE IT FURTHER RESOLVED, to transfer \$41,450.00 to the Highway Equipment Reserve.

RESOLUTION #225 RE: Chili Fire Department Active List

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

BE IT RESOLVED, that the following individual(s) be added to the Chili Fire Department active list effective November 11, 2024:

Mackenzie Ferris, Kevin Hall, Patrick Hall, Noah Kessler, Sean Mulcahy, Nayza Roper

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RESOLUTION #226 RE: Chili Fire Department Remove from Active List

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

BE IT RESOLVED, that the following individual(s) be removed from the Chili Fire Department active list effective November 3, 2024:

Akhil Sondhi

RESOLUTION #227 RE: Bids for Sidewalk Plowing

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

WHEREAS, on November 1, 2024, the Chili Town Clerk received written sealed proposals for the plowing of sidewalks for the 2024/2025 season. The proposals identified a total cost for the main general sidewalk areas, and for Sections 1-10 of the Park Place sidewalk district, Sections 1-2 of the Rose Hill Sidewalk Districts and the Vista Villa Sidewalk District. Three (3) proposals were received as follows:

Chris Krenzer

- Bid Item #1 General Sidewalks
- Bid Item #2 Park Place
- Bid Item #3 Vista Villa's
- Bid Item #4 Rose Hill

Total Bid Amount – \$4,447.00

Doug Krenzer

- Bid Item #1 General Sidewalks
- Bid Item #2 Park Place
- Bid Item #3 Vista Villa's
- Bid Item #4 Rose Hill

Total Bid Amount – \$3,450.00

NOW, THEREFORE, BE IT RESOLVED, to award the sidewalk plowing bid to the low bidder, Doug Krenzer at a cost of \$3,450.00 per trip for general area sidewalks, the Park Place Sidewalk District, Rose Hill Sidewalk District and Vista Villa's.

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RESOLUTION #228 RE: Modifications to Jetview Drive Street Light System

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

WHEREAS, Jetview Drive is a public street dedicated to the Town of Chili; and

WHEREAS, it was determined that nineteen (19) the existing street lights that provide public transportation corridor lighting at the north end of Jetview Drive remain part of the Wegmans metered electric service connection; and

WHEREAS, Wegmans and the Town of Chili desire to terminate the metered service connection for these lights and equally share in the costs of the associated work; and

NOW, THEREFORE, BE IT RESOLVED, to authorize up to \$15,000.00 for Rochester Gas and Electric to terminate said metered connection, to be paid from DA5110.4 (General Repairs).

RESOLUTION #229 RE: Intermunicipal Agreement (IMA) with Monroe County for the Paul Road Sidewalk Project

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

WHEREAS, pursuant to Resolution 267 of 2024, the Monroe County Legislature authorized the County Executive or their designee to execute an IMA with the Town of Chili in an amount not to exceed \$755,000.00 for the Paul Road Sidewalk Project; and

WHEREAS, the Town Board of the Town of Chili has determined that it's in the best interest of the Town to enter into this IMA with the County for the Paul Road Sidewalk Project; and

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Chili, is hereby authorized to execute, on behalf of the Town of Chili, the Intermunicipal Agreement with Monroe County and all other necessary documents in furtherance of this resolution, subject to review and approval of the Counsel for the Town.

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RESOLUTION #230 RE: Recreation Department

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

BE IT RESOLVED, that John Bagley be appointed Recreation Assistant be paid an annual salary of \$39,568.00 (PG 26) effective TBD, expenses to be paid by voucher as incurred.

RESOLUTION #231 RE: October 2, 2024 Abstract

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

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

WHEREAS, Council did authorize by a majority vote vouchers 47209, 47280-47286, 47291-47299, 47305-47326, 47329-47334, 47336, 47339-47356, 47358-47369 totaling \$184,402.93 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	\$ 76,455.18
Highway Fund	34,027.91
Highway Equipment Reserve	49,075.92
Library Fund	3,725.66
H61 Archer Rd Park	751.75
Drainage District	2,182.04
Street Lighting Districts	17,648.22
Miscellaneous Special Revenue	536.25
Total Abstract	<u>\$ 184,402.93</u>

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RESOLUTION #232 RE: November 6, 2024 Abstract

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

WHEREAS, January 2, 2024 Resolution #1 authorized vouchers to be paid November 6, 2024, by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 47486-47492, 47494, 47497, 47502-47509, 47519-47523, 47531-47535, 47537-47551, 47553-47576, 47579-47611, 47613 totaling \$226,288.54 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	\$ 165,827.97
Highway Facility Reserve	8,750.00
Highway Fund	30,066.48
Library Fund	3,276.00
Drainage District	702.20
Street Lighting Districts	17,665.89
Total Abstract	<u>\$ 226,288.54</u>

The next meeting of the Chili Town Board will be on December 11, 2024 at 7:00 PM in the Town of Chili, Town Hall Main Meeting Room 3333 Chili Avenue, Rochester, NY 14624.