

Chili Town Board Meeting

July 17, 2013

Agenda

A. Call to Order

B. Invocation

Pledge of Allegiance

C. Roll Call

Councilwoman **Tracy DiFlorio** _____

Councilwoman **Mary C. Sperr** _____

Councilman **Michael S. Slattery** _____

Councilman **Jordon Brown** _____

Supervisor **David J. Dunning** _____

D. Officials/Advisors:

Town Clerk **Virginia Ignatowski**

Counsel for the Town **Richard Stowe**

Commissioner of Public Works/Superintendent
Of Highways **David P. Lindsay, P.E.**

Director of Finance **Daniel Knapp**

Insurance Counselor **Eric Vail**

Deputy Town Supervisor **Ken Kraus**

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. Chili Historic Preservation Board – John Testa.

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

1. Rezoning of 15, 17, 21, 23 & 25 Orchard Street from R-1-15 to PID.

G. Public Forum

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. During the Public Forum period, each person will be allowed to comment for up to 5 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 speaker's time, if at all possible. Virginia L. Ignatowski, Town Clerk, 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:

1. Vacancy Ethics Committee & BAR (Temp Member) Committee.

Pending Matters:

Matters of the Town Council –

New Matters:

Pending Matters:

I. Approval of Town Board Minutes – 5/15/2013

Reports Submitted –

Architectural Advisory Committee Minutes – 4/27/2013, (No meeting in May 2013)

Chili Parks & Recreation Committee Minutes – 5/28/2013

Conservation Board Minutes – 6/3/2013

Monthly Financial Statement – June 2013

Recreation Revenue Report – June 2013

Senior Center Revenue Report – June 2013

Town Clerk Report – June 2013

Zoning Board Minutes – (No meeting in March 2013), 4/23/2013, 5/21/2013

J. Correspondence –

K. Pending Business

L. Old Business

M. New Business

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RESOLUTION #176 RE: Reappointment of Jennie Miller as Assessor

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

WHEREAS, Real Property Law 310 requires that the Town Board appoint an Assessor every six years, and,

WHEREAS, the six year term of Jennie Miller as Assessor expires on September 30, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chili hereby appoint Jennie Miller as Assessor for a six year term from October 1, 2013 through September 30, 2019, and,

BE IT FURTHER RESOLVED, that the State of New York Office of Real Property Services be notified of such reappointment.

RESOLUTION #177 RE: Create Position of Recreation Attendant

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

BE IT RESOLVED, that the position of "Recreation Attendant" be created.

RESOLUTION #178 RE: 2013 Summer Recreation Staff

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

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

Summer Counselors (\$7.50/hour)

Tyler Orlop

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RESOLUTION #179 RE: 2013 Summer Intern

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

BE IT RESOLVED, that per the recommendation of Michael Curley, Parks and Recreation Director, Nicole Albano be appointed Summer Recreation Intern at no cost to the Town.

RESOLUTION #180 RE: Chili Fire Department, Inc. Removal from Active List

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

BE IT RESOLVED, that the following individuals be removed from the Chili Fire Department, Inc. active list effective **July 8, 2013:**

Anthony Vullo & Curtis Hess

RESOLUTION #181 RE: Clifton Fire Department Addition to Active List

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

BE IT RESOLVED, that the following individual be added to the Clifton Fire Department active list effective **July 1, 2013:**

Scott Cleere

RESOLUTION #182 RE: Close Out H51 Annual Assessment Reval Project 2012-13

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

WHEREAS, all work has been completed and all payments have been made for the H51 Annual Assessment Reval Project 2012-13; and

NOW, THEREFORE, BE IT RESOLOVED, to close out the H51 Annual Assessment Reval Project 2012-13 and transfer remaining cash balance of \$2,591.92 to the Assessment Reserve.

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RESOLUTION #183 RE: Stake Body & Lift for Truck

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

WHEREAS, included in the approved 2013 budget is the purchase of Stake-Body/Lift Truck replacement for the Department of Public Works; and

WHEREAS, the following quotes were received for the stake-body & lift:

Thruway Spring	\$14,790.00
STS Trailer and Truck Equipment	\$14,850.00

WHEREAS, the Commissioner of Public Works/Superintendent of Highways has reviewed the submitted quotes and has made a determination that the proposal from Thruway Spring meets the intent of the written quote request and requirements of the town and is acceptable for the intended use; and

NOW, THEREFORE, BE IT RESOLVED, to authorize the purchase of a 14' stake body and lift gate from Thruway Spring for a cost not to exceed \$14,790 with half to be paid from Account #A8540.2 (Town Drainage - Equipment) and the other half to be paid from Account #SD8540.2 (Consolidated Drainage - Equipment).

RESOLUTION #184 RE: Letter of Credit BVR Construction – FINAL

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

BE IT RESOLVED, that per recommendation of the Town Engineer and Commissioner of Public Works that, \$17,456.60 be released from the letter of credit with Genesee Regional Bank #36814, leaving a balance of \$0.00; subject to engineering fees and street light bills to the Town.

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RESOLUTION #185 RE: Release Portion of Storm Drainage Easement

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

WHEREAS, Lisa A. Trybus (f/k/a Lisa A. Brown) (the “Applicant”) are owners of property located at 30 Chi-Mar Drive, Lot 67 of the Chi-Mar Subdivision, Section 1, Town of Chili, New York (the “Property”); and

WHEREAS, the Applicants’ house encroaches onto a storm drainage easement owned by the Town of Chili; and

WHEREAS, the Applicant has applied to the Town Board for a partial release of easement for that portion of a storm drainage easement owned by the Town of Chili that is located under their encroaching improvements; and

NOW, THEREFORE, BE IT RESOLVED, subject to a permissive referendum, that upon approval of the Commissioner of Public Works and Attorney for the Town Board of the Town of Chili, the Town of Chili shall release to the above named Applicants that portion of the Town's storm drainage easement located & under the encroachments onto the easement as shown on the attached survey map of the property made by Andrew M. Hodge of Triple Point Land Surveying, a licensed surveyor in the State of New York, dated July 2, 2013 with a revision date of July 10, 2013; and

BE IT FURTHER RESOLVED, the Supervisor of the Town of Chili, is hereby authorized and directed to execute, on behalf of the Town of Chili, all necessary documents in furtherance of this resolution relating to the property after the release of easement has been approved by the Commissioner of Public Works and the Attorney for the Town Board; and

BE IT FURTHER RESOLVED, that the Applicants shall pay to the Chili Town Clerk all costs incurred or to be incurred by the Town in this matter including, but not limited to: engineering review costs (if an engineering review is deemed necessary by the Commissioner of Public Works) legal review costs, publication costs and recording fees; and

BE IT FURTHER RESOLVED, that within (10) days hereof the Town Clerk shall publish and post a notice of the adoption of this resolution, and an abstract thereof, as required by law.

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RESOLUTION #186 RE: July 3, 2013 Abstract

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

WHEREAS, January 2, 2013 Resolution #1 authorized vouchers to be paid July 3, 2013 by all Council signing a waiver form; and

WHEREAS, Council did authorize by a majority vote vouchers 9977-9983, 10005-10006, 10132, 10288-10290, 10293, 10295-10310, 10312-10327, 10330, 10348-10353, 10362-10366, 10370-10384, 10388-10391, 10397, 10402, 10406-10409, 10411-10419, 10421-10427, 10429-10468 totaling \$142,264.55 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 9977-9983, 10005-10006, 10132, 10288-10290, 10293, 10295-10310, 10312-10327, 10330, 10348-10353, 10362-10366, 10370-10384, 10388-10391, 10397, 10402, 10406-10409, 10411-10419, 10421-10427, 10429-10468 were paid from the following funds:

General Fund	\$ 82,819.78
Highway Fund	\$ 37,939.63
H48 200 Beaver Road Project	\$ 7,198.06
Consolidated Drainage	\$ 2,576.05
Lighting Districts	<u>\$ 11,731.03</u>
Total for Abstract	\$ 142,264.55

RESOLUTION #187 RE: July 17, 2013 Abstract

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

BE IT RESOLVED, to pay vouchers 10271, 10471-10483, 10487-10494, 10496-10532, 10534-10535, 10537-10539, 10541, 10543-10545, 10547-10564, 10566, 10571-10599, 10602 totaling \$73,160.44 to be paid from the Distribution Account as presented to the Town Board by Virginia Ignatowski, Town Clerk:

General Fund	\$ 40,296.08
Highway Fund	\$ 26,992.10
H48 200 Beaver Road Project	\$ 5,234.80
Consolidated Drainage	<u>\$ 637.46</u>
TOTAL	\$ 73,160.44

The next regular meeting of the Chili Town Board will be on Wednesday August 14, 2013 at 7:00 p.m. in the Chili Town Hall main meeting room.