

**VICTOR TOWN BOARD MEETING
MONDAY, JANUARY 27, 2020
DRAFT RESOLUTION PACKET**

*“Town Board Draft Resolutions are in **draft** form and are subject to change prior to or during the public meeting.”*

PUBLIC HEARING starts at 7:00 PM

RESOLUTIONS

1. CORRECTION OF MANIFEST #1-2020 (Karen Bodine)
2. AUTHORIZATION FOR TOWN CLERK TO PETITION NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EVALUATE THE SPEED LIMIT ON ROWLEY ROAD (Karen Bodine)
3. DESIGNATION OF VOTING DELEGATE FOR ASSOCIATION OF TOWNS MEETING (Karen Bodine)
4. ACCEPT SPECIAL EVENTS SPONSORSHIP DONATIONS (Brian Emelson)
5. MEMORANDUM OF UNDERSTANDING - ONTARIO COUNTY FOUR SEASONS LOCAL DEVELOPMENT CORPORATION dba A FINGER LAKES VISITORS CONNECTION (Brian Emelson)
6. AUTHORIZE A LICENSE AND HOLD HARMLESS AGREEMENT – 65 COBBLE CREEK ROAD TO ALLOW ENCROACHMENT INTO DRAINAGE EASEMENT (Jack Marren)
7. BUDGET TRANSFERS OPERATING FUNDS (Barb Cole)
8. PURCHASE 2021 ALTEC MODEL LR758RM ARTICULATING OVERCENTER AERIAL DEVICE (Mark Years)
9. EQUIPMENT AGREEMENT - VILLAGE OF VICTOR - ALTEC MODEL LR758RM ARTICULATING OVERCENTER AERIAL DEVICE (Mark Years)
10. PURCHASE 2020 MILTON CATERPILLAR 962M WHEEL LOADER, OFF NEW YORK STATE BID IN TRADE FOR THE 2018 CATERPILLAR 962M WHEEL LOADER (Mark Years)
11. REAPPOINTMENT OF LARRY FISHER TO THE TOWN OF VICTOR PARKS & RECREATION CITIZENS ADVISORY COMMITTEE (Tina Kolaczyk)
12. APPOINT LANE BROWN AND MITCHELL PAIGE TO THE POSITIONS OF MOTOR EQUIPMENT OPERATOR FOR THE HIGHWAY DEPARTMENT (Tina Kolaczyk)
13. RENEW CONTRACT - MESSENGER POST MEDIA/ADNET PRINTING (Jack Marren)

PUBLIC COMMENT

Speakers are requested to limit comments to 3 minutes and will be asked to conclude comments at 5 minutes

ADJOURN

RESOLUTION #1
CORRECTION OF MANIFEST #1-2020

WHEREAS, the Finance Dept. has submitted the following voided Voucher # 20200072 to Finger Lakes System Chemistry due to the invoice being paid twice in error. Therefore resulting in the need to correct the corresponding Manifest; now, therefore, be it

RESOLVED, that the following Manifest be corrected:

Manifest # 1-2020 total amount be corrected to \$274,637.31 with the voided Voucher # 20200072 in the amount of \$525.30 funding DB.5132.400
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and further

RESOLVED, that a copy of this resolution be forwarded to the Finance Department and Town Clerk.

RESOLUTION #2

AUTHORIZATION FOR TOWN CLERK TO PETITION NEW YORK STATE DEPARTMENT OF
TRANSPORTATION TO EVALUATE THE SPEED LIMIT ON ROWLEY ROAD

WHEREAS, the Highway Superintendent has received a request to evaluate the speed limit on Rowley Road between State Route 96 and State Route 96; now, therefore, be it

RESOLVED that the Town Clerk proceed with petitioning the NYS Department of Transportation to evaluate the speed limit for Rowley Road between State Route 96 and State Route 96; and further

RESOLVED that a copy of this resolution be forwarded to the Ontario County Superintendent of Highways, Town Clerk, and Town Highway Superintendent.

RESOLUTION #3

DESIGNATION OF VOTING DELEGATE FOR ASSOCIATION OF TOWNS MEETING

RESOLVED that Town Supervisor Jack Marren be designated as the Voting Delegate representing the Town of Victor at the Association of Towns 2020 Training School and Annual Meeting on February 16-19, 2020, in New York City, NY.

RESOLUTION #4
ACCEPT SPECIAL EVENTS SPONSORSHIP DONATIONS

WHEREAS, the Department of Parks and Recreation organizes a variety of seasonal and community-wide special events; and

WHEREAS, the events realized donations from the 2019 sponsors and partners in the amount of One Thousand Eight Hundred dollars (\$1,800.00) as follows from:

Royal Wash Victor, LLC	\$250.00
East Graphics DBA Mobile Graphics	\$250.00
L.L. Bean	\$300.00
MVP Health Care	\$750.00
Mead Square Pharmacy, Inc.	\$250.00

and

WHEREAS, the Director of Parks and Recreation recommends that we accept and deposit these donations in support of these community events which will incur costs and require expenditures within Budget Line A7550.4 Celebrations Contractual; now, therefore be it

RESOLVED that the Town Board accepts the above sponsorship donations in the amount of One Thousand Eight Hundred dollars (\$1,800.00) and authorizes the Finance Director to increase the revenue line A2705 Gifts and Donations by One Thousand Eight Hundred dollars (\$1,800.00) in the 2019 Budget in addition to an offsetting increase in the expense line A7550.4 Celebrations Contractual of One Thousand Eight Hundred dollars (\$1,800.00). All budget entries to be done upon board approval; and further

RESOLVED that a copy of this resolution be forwarded to Director of Parks and Recreation, Finance Director, Finance Clerk, and Town Clerk.

RESOLUTION #5

MEMORANDUM OF UNDERSTANDING - ONTARIO COUNTY FOUR SEASONS LOCAL DEVELOPMENT CORPORATION dba A FINGER LAKES VISITORS CONNECTION

WHEREAS, the Director of Parks and Recreation submitted a grant application to the Ontario County Four Seasons Local Development Corporation dba A Finger Lakes Visitors Connection ("FLVC") to develop an adaptive mountain project that would enable all visitors that desire an experience in mountain biking to access the Town and County multi-use trail systems using an adaptive mountain bike that could be rented and reserved from the Department of Parks and Recreation; and

WHEREAS, the Director of Parks and Recreation was notified by FLVC that the Town was selected to receive Five Thousand dollars (\$5,000.00) in matching funds for the project; and

WHEREAS, the grant requires that the Town enter into a Memorandum of Understanding with FLVC; now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to execute a Memorandum of Understanding with FLVC to develop an adaptive mountain project that would enable all visitors that desire an experience in mountain biking to access the Town and County multi-use trail systems using an adaptive mountain bike that could be rented and reserved from the Department of Parks and Recreation and authorizes the Finance Director to deposit grant funds in association with this project; and further

RESOLVED that a copy of this resolution and memorandum of understanding be forwarded to Director of Parks and Recreation, Town Clerk, Finance Director, and Valerie Knoblauch, President and CEO of Finger Lakes Visitors Connection.

RESOLUTION #6

AUTHORIZE A LICENSE AND HOLD HARMLESS AGREEMENT – 65 COBBLE CREEK ROAD TO ALLOW ENCROACHMENT INTO UTILITY EASEMENT

WHEREAS, Brooke Freije is the record owner (the “Owner”) of the premises at 65 Cobble Creek Road, Tax Map #7.01-2-72.000, (the “Property”) in the Town of Victor; and

WHEREAS, the Town is the owner of a utility easement, as shown in Book 904 of Deeds at page 903 in the Ontario County Clerk’s Office, which utility easement is situated running in an east-west direction along the southern side of the Property between Tax Map #7.01-2-73.000 and Tax Map #17.01-2-72.000 approximately twenty (20) feet wide as shown on Map #20696-1 filed in the Ontario County Clerk’s Office (“Easement”); and

WHEREAS, the Owner of the property proposes to install a fence (the “Fence”) with a portion of said proposed Fence encroaching onto the Easement on the Property; and

WHEREAS, the Owner of the property wishes to also include a previously installed retaining wall (the “Wall”) with a portion of said Wall encroaching onto the Easement on the Property; and

WHEREAS, the Town Board wishes to enter into a License and Hold Harmless Agreement (“Agreement”) to allow the Fence and Wall to encroach onto the Easement, said License and Hold Harmless Agreement to be recorded with the Ontario County Clerk’s Office; and

WHEREAS, the Agreement would permit the Fence to be constructed, but would require the Owner to remove and/or repair said Fence and Wall, hold the Town harmless, and return the Property within the Easement to its pre-alteration condition should the Town need to exercise its rights relating to the Easement in a manner which would require removal of the portion of Fence and Wall, and the Town was induced into entering into the Agreement based on said representations; and

WHEREAS, the Town Building Department and Town Engineer have reviewed the proposed Fence and Wall and has indicated that the aforementioned proposed encroachment of the Fence and Wall into the Easement would not materially adversely affect the integrity, purpose, or function of the Easement, including but not limited to utilities, or be a hindrance in gaining access to any facilities or other infrastructure located within the Easement to effect repairs, maintenance, and/or improvements, and have no objection to the Town Board entering into the Agreement; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the License and Hold Harmless Agreement with Brooke Freije, in a form approved by the Attorney for the Town, to allow the proposed Fence and Wall to encroach into the Easement, and any other document reasonably necessary to effect said Agreement; and further be it

RESOLVED, that upon filing with the Ontario County Clerk’s office, a copy of the filed License and Hold Harmless Agreement with Brooke Freije will be provided to the Town Clerk; and further

RESOLVED, that a copy of this Resolution be provided to the Town Planning and Building Department, the Town Clerk, and the Owner.

RESOLUTION #7
BUDGET TRANSFERS OPERATING FUNDS

WHEREAS, the Finance Director has determined budget transfers are required in the Operating Funds including the General (A) Fund, Town Outside Village (B) Fund and the Highway (DB) Fund, and

WHEREAS, there are available funds within the respective Operating Funds to cover these transfers, now, therefore, be it

RESOLVED that the following 2019 budget transfers be approved in the Operating Funds as recommended by the Finance Director as listed below:

ACCOUNT NO.	TO: DESCRIPTION	AMOUNT	ACCOUNT NO.	FROM: DESCRIPTION	AMOUNT
A.1220.100	Supervisor. Personal Serv	\$25.00	A.1220.110	Supv. Office Staff. Personal Serv	\$25.00
A.1220.120	Deputy Supv. Personal Serv	\$670.00	A.1220.110	Supv Office Staff. Personal Serv	\$670.00
A.5010.110	Highway Supt. Personal Serv	\$1,235.00	A.5010.800	Highway Supt. Emp Benefits	\$1,235.00
A.7550.100	Celebrations. Personal Serv	\$2,300.00	A.7550.400	Celebrations. Contractual	\$2,300.00
B.3620.431	Bldg Safety Insp.Litigation	\$5,500.00	B.3620.100	Bldg Safety Insp. Personal Serv	\$5,500.000
B.5182.400	Street Lighting. Contractual	\$160.00	B.8010.400	Zoning. Contractual	\$160.00
B.8540.440	Drainage. Engineering	\$3,600.00	B.8140.800	Stormwater Mgmt. Emp Benefits	\$3,600.00
DB.5130.100	Machinery. Personal Serv	\$4,300.00	DB.5130.400	Machinery. Contractual	\$4,300.00
DB.5142.100	Snow Removal. Personal Serv	\$4,100.00	DB.5142.150	Snow Removal. Overtime	\$4,100.00

and

RESOLVED that all entries to achieve the above-mentioned budget transfers be completed upon Town Board approval of this resolution; and

RESOLVED that a copy of this Resolution be forwarded to Town Clerk and Finance Director.

RESOLUTION #8

PURCHASE 2021 ALTEC MODEL LR758RM ARTICULATING OVERCENTER AERIAL DEVICE

WHEREAS, the Village of Victor and the Town of Victor wish to jointly purchase a 2021 Altec Model LR758RM Articulating Overcenter Aerial Device; and

WHEREAS, this vehicle is available for purchase off New York State Bid Contract Award Number PGB-22792, Contract PC66582 from Altec Industries Inc.; now, therefore, be it

RESOLVED, that the Village and the Town will enter into an agreement for the purchase and maintenance of, and, the insurance and liability for the Equipment, with the Town's portion of the purchase price with training being 50% of the total cost, not to exceed Eighty Two Thousand Eight Hundred Ninety Six dollars (\$82,896.00), which funds are available in the 2020 Budget Line Item DB5130.2 Machinery Equipment; and further

RESOLVED, that a copy of this resolution be forwarded the Highway Superintendent, Village of Victor, Town Clerk, Finance Director, and Altec Industries Inc.

RESOLUTION #9

EQUIPMENT AGREEMENT - VILLAGE OF VICTOR - ALTEC MODEL LR758RM
ARTICULATING OVERCENTER AERIAL DEVICE

WHEREAS, it is in the interest of the taxpayers of the Village of Victor and the Town of Victor to share expenses for the purchase, maintenance and insurance of large equipment that is used for public works and other municipal improvement projects; and

WHEREAS, the Village and the Town will jointly purchase and use an Altec Model LR756RM Overcenter Articulating Aerial Device (the "Equipment"); and

WHEREAS, the Village and the Town have prepared an agreement (the "Agreement") for the purchase and maintenance of, and, the insurance and liability for the Equipment which will be mutually agreed upon by the Village and Town; now, therefore be it

RESOLVED that the Town Supervisor is hereby authorized to execute the Agreement on behalf of the Town for the use of and joint purchase coordinated by the Village for the Equipment; and be it further

RESOLVED that a copy of this resolution be forwarded to the Highway Superintendent, the Village of Victor, Town Clerk, and the Finance Director.

RESOLUTION #10

PURCHASE 2020 MILTON CATERPILLAR 962M WHEEL LOADER, OFF NEW YORK STATE
BID IN TRADE FOR THE 2018 CATERPILLAR 962M WHEEL LOADER

WHEREAS, the Highway Department has the need to purchase a 2020 Milton Caterpillar 962M Wheel Loader for highway operations and trade the 2018 Caterpillar Loader 962M (Serial Number CAT0962MEJ2S00417) on the two-year trade program; and

WHEREAS, this vehicle is available for purchase off New York State Bid Contract Award Number PGB-22792, Contract PC66988 from Milton Cat; and

WHEREAS, funds are available in the 2020 Budget line DB.5130.200 Highway Equipment for the purchase of equipment to replace an existing 2018 wheel loader (Serial Number CAT0962MEJ2S00417) on the two-year trade program; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highway Superintendent to trade the 2018 Caterpillar 962M Wheel Loader (Serial Number CAT0962MEJ2S00417) for the amount of Two Hundred Eighteen Thousand Seven Hundred Seventy Nine Dollars (\$218,779.00) and purchase a 2020 Milton Caterpillar 962M Wheel Loader in the amount of Two Hundred Forty Eight Thousand Seven Hundred Seventy Nine dollars (\$248,779.00) less the trade-in value of the 2018 Milton Caterpillar 962M Wheel Loader (Serial Number CAT0962MEJ2S00417) for a final cost of Thirty Thousand dollars (\$30,000.00); and further

RESOLVED, that a copy of this resolution be forwarded the Highway Superintendent, Finance Department, Town Clerk, and Milton Cat, 4610 East Saile Drive, Batavia, NY 14020.

RESOLUTION #11

REAPPOINTMENT OF LARRY FISHER TO THE TOWN OF VICTOR PARKS & RECREATION
CITIZENS ADVISORY COMMITTEE

WHEREAS, Larry Fisher's term to the Parks & Recreation Citizens Advisory Committee expired on December 31, 2019; and

WHEREAS, the position was advertised, and selected candidates were interviewed on December 18, 2019; now, therefore be it

RESOLVED, that the Town Board hereby reappoints Larry Fisher to the Parks & Recreation Citizens Advisory Committee for a term of three years with said term beginning on January 1, 2020 and expiring on December 31, 2022; and be it further

RESOLVED, that a copy of this resolution be sent to Human Resources, Larry Fisher, Gregory Richards – Chair; Suzy Mandrino, Town Clerk, and Brian Emelson.

RESOLUTION #12

APPOINT LANE BROWN AND MITCHELL PAIGE TO THE POSITIONS OF MOTOR EQUIPMENT OPERATOR FOR THE HIGHWAY DEPARTMENT

WHEREAS, the Town of Victor has two openings for Motor Equipment Operators in the Highway Department; and

WHEREAS, the positions were advertised and selected candidates were interviewed on January 13, 2020; now, therefore be it

RESOLVED, that Lane Brown and Mitchell Paige be appointed to the positions of Motor Equipment Operator for the Town of Victor Highway Department at a Grade 4, step A hourly rate salary of Twenty Three dollars and Sixty Three cents (\$23.63), to be funded from the 2020 Town Budget Line #DB.5110.100 General Repairs Personal Services with a starting date of February 10, 2020 or sooner; and be it further

RESOLVED, that a copy of this resolution be forwarded to Lane Brown, Mitchell Paige, Highway Superintendent, Human Resources, Town Clerk, and the Finance Director.

RESOLUTION #13

RENEW CONTRACT - MESSENGER POST MEDIA/ADNET PRINTING

WHEREAS, on December 11, 2017 the Town Board approved Resolution #511 - Authorization for Supervisor To Enter Into A Contract With Messenger Post Media/Adnet Printing for the Printing, Layout, and Design of the Town and Village Voice Newsletter; and

WHEREAS, the Town's current agreement expired on December 31, 2019 and the Town believes that Messenger Post Media/Adnet Printing continues to have the best prices, services, and quality for the newsletter, and wishes to renew the contract with Messenger Post Media/Adnet Printing; now, therefore, be it

RESOLVED that the Town Board authorizes the Supervisor to enter into a three (3)-year contract with Messenger Post Media for the layout, design, and the printing of the Town of Victor newsletter to cover January 1, 2020 through December 31, 2022 under the terms and conditions as provided for in the 2020 contract identified as Schedule A and kept in the subject matter file in the Town Clerk's Office at a cost not to exceed [REDACTED], said funds are included and available in the 2020 Budget line item A1670.400 Central Printing & Mailing Contractual; and be it further

RESOLVED that a copy of this resolution be forwarded to Brian Ambor, Messenger Post Media; Suzy Mandrino, Town Clerk, and the Finance Director.