

**VICTOR TOWN BOARD MEETING  
MONDAY, FEBRUARY 10, 2020  
DRAFT RESOLUTION PACKET**

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

**RESOLUTIONS**

1. REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS (Brian Emelson)
2. AGREEMENT WITH SANDRA WEILAND - ADULT COOKING CLASSES (Brian Emelson)
3. AGREEMENT WITH JOHN A. BAUER – MUSIC AND SOUND FOR SUMMER CONCERT (Brian Emelson)
4. AGREEMENT WITH GREG MUNRO – MUSIC AND SOUND FOR SUMMER CONCERT (Brian Emelson)
5. AGREEMENT WITH SMOKIN PETE’S BARBEQUE - FOOD AT SUMMER CONCERTS (Brian Emelson)
6. ACCEPT SPECIAL EVENTS DONATIONS (Brian Emelson)
7. PURCHASE FLOWERS AND PLANT MATERIAL - TOWN HALL AND FOUR CORNERS FLOWER BEDS (Brian Emelson)
8. PURCHASE LAND PRIDE FLAIL MOWER WITH HEAVY “Y” BLADES FROM SAXBY IMPLEMENT THROUGH NEW YORK STATE SOURCEWELL CONTRACT (#0621117-LP) AND DECLARE 2014 JOHN DEERE 25A FLAIL MOWER WITH HEAVY DUTY ROLLER (#P0025AX646107) SURPLUS (Brian Emelson)
9. PURCHASE EQUIPMENT - PICKLEBALL RECREATION PROGRAM (Brian Emelson)
10. APPLICATION FOR FUNDING - VICTOR PARKS AND RECREATION COUNSELOR IN TRAINING PROGRAM - ONTARIO COUNTY YOUTH BUREAU (Brian Emelson)
11. APPOINTMENT OF ARCHITECTURAL REVIEW SUB-COMMITTEE (Tina Kolaczyk)
12. AMEND RESOLUTION NO. 21-20 – FILDELITY BOND (Tina Kolaczyk)
13. PURCHASE 2020 FORD F-150 XLT SUPER CAB 4 x 4 PICK UP TRUCK PIGGYBACKING OFF ONONDAGA COUNTY BID PROPOSAL #8771 AND DECLARE THE 2016 FORD F150 SURPLUS (Mark Years)
14. PURCHASE 2020 T595 T4 BOBCAT COMPACT TRACK LOADER OFF NEW YORK STATE BID CONTRACT AWARD NUMBER PGB22792, CONTRACT PC67141 (Mark Years)
15. PURCHASE OF 2020 FORD ESCAPE S FROM THE NYS OFFICE OF GENERAL SERVICES PROCUREMENT SERVICES VEHICLE MARKETPLACE MINI-BID #3254 (Kim Kinsella)

16. AUTHORIZE A LICENSE AND HOLD HARMLESS AGREEMENT – 65 COBBLE CREEK ROAD TO ALLOW ENCROACHMENT INTO UTILITY EASEMENT (Jack Marren)
17. AMEND AGREEMENT - INFORMATION TECHNOLOGY CONTRACTED HOSTING SERVICES AGREEMENT - INTEGRATED SYSTEMS (Jack Marren)
18. FINAL AUTHORIZATION OF THE EXPENDITURE OF FUNDS FOR PURCHASE OF LAND FOR FUTURE DEVELOPMENT AFTER EXPIRATION OF PERMISSIVE REFERENDUM (Jack Marren)
19. FINAL AUTHORIZATION OF THE ANTICIPATED PURCHASE OF REAL PROPERTY LOCATED AT 0 AND 1277 BRACE ROAD FOR FUTURE DEVELOPMENT AFTER EXPIRATION OF PERMISSIVE REFERENDUM (Jack Marren)
20. ORDER FOR PUBLIC HEARING TO ESTABLISH THE HORSEPOWER MOTORWORKS SEWER DISTRICT AND CONSOLIDATE IT INTO THE VICTOR CONSOLIDATED SEWER DISTRICT (Jack Marren)
21. SET PUBLIC HEARING – LOCAL LAW NO. \_\_\_\_-2020 TO OVERRIDE THE NY TAX LEVY LIMIT FOR 2021 – TOWN OF VICTOR

**PUBLIC COMMENT**

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

**ADJOURN**

RESOLUTION #1  
REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

WHEREAS, the Town Board adopted the Resolution # 234 - Town of Victor Contract Procedures on June 13, 2016; and

WHEREAS, per the Contract Process, contractors and vendors who cannot obtain a Certificate of Liability Insurance which is in accordance with the Town's insurance requirements in order to perform their contracted service for the Town of Victor may appeal to the Victor Town Board for a Waiver of the Certificate of Liability Insurance; and

WHEREAS, the Town wishes services to be provided by the following vendors, who are requesting the waiver of providing a Certificate of Liability Insurance to the Town of Victor:

<u>Vendor</u>	<u>Activity / Event</u>	<u>Location of Event</u>	<u>Amount of Contract</u>	<u>Duration of Contract</u>	<u>Reason for Exemption</u>
John A. Bauer	Summer Concert	Victor Municipal Park	\$800.00	December 31, 2020	Insufficient Coverage
Greg Munro	Summer Concert	Victor Municipal Park	\$500.00	December 31, 2020	Insufficient Coverage
Sandra Weiland	Adult Cooking Programs	Victor Recreation Center	60% / 40%	December 31, 2020	Insufficient Coverage

Now, therefore be it

RESOLVED that the Town Board grants the Certificate of Liability Waivers for the following service providers:

<u>Vendor</u>	<u>Event</u>	<u>Location of Event</u>	<u>Amount of Contract</u>	<u>Duration of Contract</u>	<u>Reason for Exemption</u>
John A. Bauer	Summer Concert	Victor Municipal Park	\$800.00	December 31, 2020	Insufficient Coverage
Greg Munro	Summer Concert	Victor Municipal Park	\$500.00	December 31, 2020	Insufficient Coverage
Sandra Weiland	Adult Cooking Programs	Victor Recreation Center	60% / 40%	December 31, 2020	Insufficient Coverage

And be it further

RESOLVED that a copy of this resolution be sent to Director of Parks and Recreation, Town Clerk, John A. Bauer, Greg Munro and Sandra Weiland.

RESOLUTION #2

AGREEMENT WITH SANDRA WEILAND - ADULT COOKING CLASSES

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into an agreement with Sandra Weiland to provide instruction in adult cooking programs to be held at a date and time that is mutually agreed upon by the contractor and recreation program coordinator; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Sandra Weiland for instruction in adult cooking programs 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 with Sixty percent (60%) of the recreation program revenues allocated to the Contractor and Forty percent (40%) of the recreation program revenues allocated to the Town, said funds are included and available in the 2020 Operating Budget line item A7020.4 Recreation Programs - Contractual; and further

RESOLVED, that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board and the Attorney for the Town; and further

RESOLVED, that a copy will be forwarded to Assistant Director of Parks and Recreation, Director of Parks and Recreation, Finance Director, Town Clerk, and Sandra Weiland.

RESOLUTION #3

AGREEMENT WITH JOHN A. BAUER – MUSIC AND SOUND FOR SUMMER CONCERT

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into an agreement with John A. Bauer to provide music and a sound system for the Department of Parks and Recreation Summer Concert Series to be held on Thursday, July 9, 2020 from 7:00 – 8:30 pm at Victor Municipal Park; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with John A. Bauer 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 for the sum of Eight Hundred dollars (\$800.00), said funds are included and available in the 2020 Operating Budget line item A7550.4 Celebrations - Contractual; and further

RESOLVED, that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board and the Attorney for the Town; and further

RESOLVED, that a copy will be forwarded to Assistant Director of Parks and Recreation, Director of Parks and Recreation, Finance Director, Town Clerk, and John A. Bauer.

RESOLUTION #4

AGREEMENT WITH GREG MUNRO – MUSIC AND SOUND FOR SUMMER CONCERT

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into an agreement with Greg Munro to provide music and a sound system for the Department of Parks and Recreation Summer Concert Series to be held on Thursday, July 30, 2020 from 7:00 – 8:30 pm at Victor Municipal Park; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Greg Munro 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 for the sum of Five Hundred dollars (\$500.00), said funds are included and available in the 2020 Operating Budget line item A7550.4 Celebrations - Contractual; and further

RESOLVED, that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board and the Attorney for the Town; and further

RESOLVED, that a copy will be forwarded to Assistant Director of Parks and Recreation, Director of Parks and Recreation, Finance Director, Town Clerk, and Greg Munro.

RESOLUTION #5

AGREEMENT WITH SMOKIN PETE'S BARBEQUE - FOOD AT SUMMER CONCERTS

WHEREAS, the Department of Parks and Recreation seeks to offer food truck services at a summer concert; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Smokin Pete's Barbeque to provide food at a summer concert to be held on Thursday, July 23, 2020 from 6:30 – 8:30 pm with the Town receiving Ten percent (10%) of the gross sales from the event revenue; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Smokin Pete's Barbeque to provide food at a summer concert to be held on Thursday, July 23, 2020 from 6:30 – 8:30 pm with the Town receiving Ten percent (10%) of the gross sales from the event revenue; and further

RESOLVED, that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that a copy of this resolution be forwarded to Director of Parks and Recreation, Finance Director, Town Clerk, and Peter Chapman, Smokin Pete's Barbeque.

RESOLUTION #6  
ACCEPT SPECIAL EVENTS DONATIONS

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

WHEREAS, the activities have realized recent donations from 2020 community partners in the amount of Eleven Thousand dollars (\$11,000.00) as follows from:

Generations Bank	\$1,500.00
Victor Chevrolet	\$3,000.00
Mattiaccio Orthodontics	\$1,000.00
Wegmans Food Markets	\$5,000.00
Athleta Victor	\$500.00

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 2020 Budget Line A7550.4 Celebrations Contractual; now, therefore be it

RESOLVED that the Town Board accepts the above partnership donations in the amount of Eleven Thousand dollars (\$11,000.00) and authorizes the Finance Director to increase the revenue line A2705 Gifts and Donations by Eleven Thousand dollars (\$11,000.00) in the 2020 Budget in addition to an offsetting increase in the expense line A7550.4 Celebrations Contractual of Eleven Thousand dollars (\$11,000.00). 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, and Town Clerk.



RESOLUTION #7

PURCHASE FLOWERS AND PLANT MATERIAL - TOWN HALL AND FOUR CORNERS  
FLOWER BEDS

WHEREAS, the Department of Parks and Recreation is responsible for the care and maintenance of the flower and shrub beds at the Town Hall and the intersection of New York State Route 96, County Road 42 and Rowley Road in Victor; and

WHEREAS, the Director of Parks and Recreation and Project Manager from the Victor Garden Club have obtained a written quotation for the purchase of said flowers and plant material from Bundschuh Greenhouses at an anticipated cost of One Thousand Nine Hundred Eighty One dollars (\$1,981.00); now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to order and purchase flowers and plant material for the Town Hall and the intersection of New York State Route 96, County Road 42 and Rowley Road in Victor in a total amount not to exceed One Thousand Nine Hundred Eighty One dollars (\$1,981.00), said funds are available the in 2020 Budget line item A7110.4 Parks Contractual; and further

RESOLVED that a copy of this resolution be forwarded to Director of Parks and Recreation, Town Clerk, Finance Director, Mary Duprey, Victor Garden Club; and Bob Bundschuh, Bundschuh Greenhouses.

RESOLUTION #8

PURCHASE LAND PRIDE FLAIL MOWER WITH HEAVY "Y" BLADES FROM SAXBY IMPLEMENT THROUGH NEW YORK STATE SOURCEWELL CONTRACT (#0621117-LP) AND DECLARE 2014 JOHN DEERE 25A FLAIL MOWER WITH HEAVY DUTY ROLLER (#P0025AX646107) SURPLUS

WHEREAS, the Department of Parks and Recreation has the need to purchase a Land Pride flail mower with Heavy "Y" blades and declare the existing 2014 John Deere 25A flail mower with heavy duty roller (#P0025AX646107) as surplus; and

WHEREAS, this piece of equipment is available through New York State Sourcewell Contract (#0621117); now, therefore, be it

RESOLVED, that the Town Board authorizes the Director of Parks and Recreation to purchase a Land Pride flail mower with Heavy "Y" blades at a l cost not to exceed Six Thousand Four Hundred Three dollars and Ninety cents (\$6,403.90) from Saxby Implement through New York State Sourcewell Contract (#0621117), said funds are available in the 2020 Budget Line item A7110.2 Parks and Trails Equipment; and further

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

RESOLUTION #9  
PURCHASE EQUIPMENT - PICKLEBALL RECREATION PROGRAM

WHEREAS, the Department of Parks and Recreation offers and operates several pickleball activities within its recreation program for adults and senior citizens; and

WHEREAS, the pickleball program would benefit from the use of a ball machine to aid in the instruction of the game; and

WHEREAS, the Director of Parks and Recreation has obtained a written quotation for the purchase of equipment from Lobster Sports at an anticipated total cost of One Thousand Six Hundred and Twenty Four dollars (\$1,624.00); now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to order a ball machine for the pickleball program in an amount not to exceed One Thousand Six Hundred Twenty Four dollars (\$1,624.00), said funds are available in the 2020 Budget line item A6772.4 Programs for the Aging Contractual; and further

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

RESOLUTION #10

APPLICATION FOR FUNDING - VICTOR PARKS AND RECREATION COUNSELOR IN TRAINING PROGRAM - ONTARIO COUNTY YOUTH BUREAU

WHEREAS, the Parks and Recreation Department offers a Summer Counselor In Training and Leadership program for youths in the Town and Village of Victor; and

WHEREAS, the Town annually submits an application to the Ontario County Youth Bureau for funding; and

WHEREAS, the County has not approved funding for the program but the Town needs to submit an application for the funding of the program; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor to execute the application for funding of the Counselor in Training program for submission to the Ontario County Youth Bureau; and further resolved

RESOLVED, that a copy of this resolution be sent to the Ontario County Youth Board, Director of Parks & Recreation, Town Clerk, Finance Office, and Human Resources.

RESOLUTION #11

APPOINTMENT OF ARCHITECTURAL REVIEW SUB-COMMITTEE

RESOLVED, that Al Gallina and Joseph Limbeck be appointed to the Architectural Review Sub-Committee of the Planning Board, with Joe Logan appointed as Alternate and that Al Gallina be appointed as Chair, and Mark Kukuvka from LaBella Associates will be the Architectural Consultant.

RESOLUTION #12  
AMEND RESOLUTION NO. 21-20 – FIDELITY BOND

WHEREAS, at the Town Board Organizational Meeting on January 6, 2020 Resolution No. 21 Fidelity Bond was adopted; and

WHEREAS, in the insurance policy listing, it was noted that positions, not names, are listed; and

WHEREAS, Easter Shore Associates/NYMIR recommends that the resolution be amended as to reflect position titles and not employee names; now, therefore be it

RESOLVED that Resolution No. 21-20 – Fidelity Bond, be amended to read as follows:

FIDELITY BOND

RESOLVED, that the following Town Officials will be bonded:

Current Coverage

Town Clerk	\$1,000,000.00
Deputy Tax Receiver	\$1,000,000.00
Finance Director	\$1,000,000.00
Supervisor	\$100,000.00
Deputy Town Supervisor	\$30,000.00
Town Justices (2)	\$100,000.00
Court Clerks (2)	\$100,000.00
Court Account Clerk	\$100,000.00
Deputy Town Clerks (2)	\$30,000.00
Senior Account Clerk	\$300,000.00
Bookkeeper	\$100,000.00
Highway/Transfer Station Clerks (2)	\$100,000.00
Parks and Rec Director	\$30,000.00
Parks & Rec Assistant Director	\$30,000.00
Parks & Rec Clerks (2)	\$100,000.00
Recreation Supervisors (2)	\$30,000.00
Town Councilmen (4)	\$100,000.00

A \$30,000.00 Bond is carried on all public employees; and further

RESOLVED, that a copy of this resolution be sent to Eastern Shore Associates.

RESOLUTION #13

PURCHASE 2020 FORD F-150 XLT SUPER CAB 4 x 4 PICK UP TRUCK PIGGYBACKING  
OFF ONONDAGA COUNTY BID PROPOSAL #8771 AND DECLARE THE 2016 FORD F150  
SURPLUS

WHEREAS, the Highway Department has the need to purchase a 2020 Super Cab, 4 X 4 pick-up truck for Highway Department operations and declare the 2016 F150 XLT Super Cab 4 x 4 (VIN#1FTFX1EF1GFC32316) as surplus; and

WHEREAS, this vehicle is available for purchase by piggybacking off the Onondaga County Bid #8771 through Van Bortel Ford; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highway Superintendent to purchase a 2020 Ford F-150 XLT, Super Cab, 4 x 4 pick-up truck in an amount not to exceed Thirty Four Thousand Five Hundred Thirty Three dollars and Fifty Seven cents (\$34,533.57) by piggybacking Onondaga County Bid Proposal #8771, said funds are available in the 2020 Budget line item DB.5130.200 Highway Equipment; and further

RESOLVED that the 2016 F150 XLT Super Cab 4 x 4 Pick-up truck (VIN#1FTFX1EF1GFC32316) be declared as surplus; and further

RESOLVED, that a copy of this resolution be forwarded to Highway Superintendent, Town Clerk, Finance Director, and Van Bortel Ford.

RESOLUTION #14

PURCHASE 2020 T595 T4 BOBCAT COMPACT TRACK LOADER OFF NEW YORK STATE  
BID CONTRACT AWARD NUMBER PGB22792, CONTRACT PC67141

WHEREAS, the Highway, Stormwater, and Parks Departments have the need to purchase a 2020 T595 T4 Bobcat Compact Track Loader for projects; and

WHEREAS, this equipment is available for purchase off New York State Bid Contract Award #PGB-22792, Contract PC67141 from Clark Equipment Company dba Bobcat Company; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highway Superintendent to purchase a 2020 T595 T4 Bobcat Compact Track Loader at a cost not to exceed Fifty Two Thousand Eight Hundred Ninety Four dollars and Fifty Two cents (\$52,894.52), said funds are available in the 2020 Budget lines DB.5130.2 Highway Equipment Budget Line for an amount of Seventeen Thousand Six Hundred Thirty One dollars and Fifty One cents (\$17,631.51), Budget Line B.8140.200 Stormwater Management Equipment for an amount of Seventeen Thousand Six Hundred Thirty One dollars and Fifty One cents (\$17,631.51) and Budget Line A.7110.200 Parks Equipment for an amount of Seventeen Thousand Six Hundred Thirty One dollars and Fifty cents (\$17,631.50) for a total ; and further

RESOLVED, that a copy of this resolution be forwarded the Highway Department, Planning and Building Department, Parks and Recreation Department, Finance Department, Town Clerk, and Clark Equipment Company dba Bobcat Company.



RESOLUTION #15

PURCHASE 2020 FORD ESCAPE S FROM THE NYS OFFICE OF GENERAL SERVICES  
PROCUREMENT SERVICES VEHICLE MARKETPLACE MINI-BID #3254

WHEREAS, the Planning & Building Department has the need to purchase a 2020 Ford Escape S for Building Inspector operations; and

WHEREAS, this vehicle is available for purchase under NYS Office of General Services Vehicle Marketplace Mini-Bid #3254, Contract #PC68988 through Metro Ford Sales, Inc.; now, therefore, be it

RESOLVED, that the Town Board authorizes the Planning & Building Department to purchase a 2020 Ford Escape S in an amount not to exceed Twenty Thousand Seven Hundred Eighty Two dollars and Eight cents (\$20,782.08) from the NYS Office of General Services Vehicle Marketplace Mini-Bid #3254, contract #PC68988 through Metro Ford Sales, Inc., said funds are available in the 2020 Budget line item B.3620.200, Building-Safety Inspection Equipment; and further

RESOLVED, that a copy of this resolution be forwarded to Project Coordinator, Town Clerk, Finance Director, and William Hearley, Metro Ford Sales, Inc.

RESOLUTION #16

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 #17

AMEND AGREEMENT - INFORMATION TECHNOLOGY CONTRACTED HOSTING SERVICES AGREEMENT - INTEGRATED SYSTEMS

WHEREAS, on October 28, 2019 the Town Board approved Resolution No. 406-19 Authorization for Supervisor to enter into Information Technology Contracted Hosting Services Agreement with Integrated Systems for the Town of Victor; and

WHEREAS, the Town has found it necessary to add Out of Region Backup to the contracted Hosted Services agreement; now, therefore, be it

RESOLVED, that the Town enter into an amended agreement with Integrated Systems for application hosting services to add Out of Region Backup, the agreement will be in effect for three (3) years from November 1, 2019 to November 30, 2022 with an auto-renewal clause, with a monthly rate not to exceed Four Thousand Seven dollars and Eighty cents (\$4,007.80), as listed in the contract as "Schedule A" kept in the contract files located in the Town Clerk's office, said funds are available in the annual Town budget line item #A.1680.400 – Central Data Processing Contractual; and further be it

RESOLVED that a copy of this Resolution be forwarded to Integrated Systems, Suzy Mandrino, Town Clerk, and the Finance Department.

RESOLUTION #18

FINAL AUTHORIZATION OF THE EXPENDITURE OF FUNDS FOR PURCHASE OF LAND FOR FUTURE DEVELOPMENT AFTER EXPIRATION OF PERMISSIVE REFERENDUM

WHEREAS, on January 6, 2020, the Victor Town Board approved the expenditure of Three Hundred Fifty Thousand dollars (\$350,000.00) for the purchase of land for future development, said funds are available in the A.0878.001 Capital Reserve-R1 Buildings and Land; and

WHEREAS, said authorization was subject to permissive referendum; and

WHEREAS, the Town Clerk did duly post and publish a notice specifying that the resolution approving the expenditure of funds for the purchase of land subject to a permissive referendum; and

WHEREAS, the permissive referendum period has run and no petition in opposition to the approval of the additional expenditure has been filed; now, therefore be it

RESOLVED, that the expenditure of funds for the purchase of land for future development as set forth in the resolution be finally approved.

RESOLUTION #19

FINAL AUTHORIZATION OF THE ANTICIPATED PURCHASE OF REAL PROPERTY  
LOCATED AT 0 AND 1277 BRACE ROAD FOR FUTURE DEVELOPMENT AFTER  
EXPIRATION OF PERMISSIVE REFERENDUM

WHEREAS, on December 20, 2019, the Victor Town Board approved the expenditure of Three Hundred Thousand dollars (\$300,000.00) for the purchase of real property having the Tax Map Identification Numbers: 28.04-1-53.100 and 28.00-1-50.100 for future development, said funds are available in the A.0878.001 Capital Reserve-R1 Buildings and Land; and

WHEREAS, said authorization was subject to permissive referendum; and

WHEREAS, the Town Clerk did duly post and publish a notice specifying that the resolution approving the purchase real property was adopted subject to a permissive referendum; and

WHEREAS, the permissive referendum period has run and no petition in opposition to the approval of the purchase real property for future development has been filed; now, therefore be it

RESOLVED, that the purchase of land for future development as set forth in the resolution be finally approved.

RESOLUTION #

ORDER FOR PUBLIC HEARING TO ESTABLISH THE HORSEPOWER MOTORWORKS SEWER DISTRICT AND CONSOLIDATE IT INTO THE VICTOR CONSOLIDATED SEWER DISTRICT

WHEREAS, the Town Board of the Town of Victor (“the Town”) has received from ANAC Holdings, LLC a Consolidated Sewer District Extension Engineers Report containing, in part, a map, Short Form Environmental Assessment Form, and a proposed sewer extension plan (the “Report”) requesting an extension of the Town of Victor Consolidated Sewer District (the “Sewer District”) to include 11.9+/- acres of lands located on the east and south side of Brace Road, more specifically depicted on the map contained in the Report, the metes and bounds description of which is also set forth in the Report (the proposed extension to the Sewer District is hereinafter referred to as the “Horsepower Motorworks Sewer District”), all of which is available for public inspection at the Victor Town Clerk’s Office; and

WHEREAS, given the nature of the Report and the policy of the Town of Victor with respect to sewer districts, the Report has been converted to one for the proposed establishment and consolidation of the Horsepower Motorworks Sewer District into the Sewer District; and

WHEREAS, simultaneous with its establishment, the Town of Victor will cause the Horsepower Motorworks Sewer District to be consolidated into the Town of Victor Consolidated Sewer District, so as to eliminate the additional administrative burden and costs associated with the operation of multiple sewer districts; and

WHEREAS, the boundaries of the Horsepower Motorworks Sewer District comprise approximately 11.9+/- acres of lands located on the east and south side of Brace Road, more specifically depicted on a map, a part of the Report, the metes and bounds description of which is set forth in the Report referred to herein and available for public inspection at the Victor Town Clerk’s Office; and

WHEREAS, the proposed improvements include: A private connection to an existing manhole; and

WHEREAS, the maximum amount proposed to be expended by the Town for the Horsepower Motorworks Sewer District and associated improvements is the sum of zero dollars (\$0.00), as the applicant will pay for the capital cost thereof; and

WHEREAS, since there will be no capital cost to the Town for the Horsepower Motorworks Sewer District, no financing will be employed and it is therefore not necessary to obtain the approval of the New York State Comptroller’s Office; and

WHEREAS, simultaneous with the establishment of the Horsepower Motorworks Sewer District, it shall be consolidated into the Victor Consolidated Sewer District as more fully described in the “Proposed Joint Consolidation Agreement for the Town of Victor Consolidated Sewer District and the Horsepower Motorworks Sewer District,” (hereinafter referred to as the “Agreement”) as accepted by the Victor Town Board on January 6, 2020; and

WHEREAS, a descriptive summary of the Agreement follows:

The current Town of Victor Consolidated Sewer District and the Horsepower Motorworks Sewer District (as proposed and described in the MPR referred to herein) will be

consolidated so that the area and infrastructure of the Horsepower Motorworks Sewer District is added and consolidated into the Victor Consolidated Sewer District. The consolidation will eliminate the annual need for additional expenses in the administrative oversight of multiple sewer districts. The existing debt of the Victor Consolidated Sewer District will be spread across the newly consolidated Victor Consolidated Sewer District. This consolidation will not be effective unless and until the Horsepower Motorworks Sewer District is fully established in compliance with NY Town Law; and

WHEREAS, after establishment and consolidation into the Victor Consolidated Sewer District, the capital cost to the typical residential property will be approximately One Hundred Sixteen dollars and Sixty Eight cents (\$116.68), annually, and the capital cost to the typical commercial property will be approximately Seven Hundred Seventy Five dollars and Eighty Four cents (\$775.84), annually, and the capital cost to those properties added into the Town of Victor Consolidated Sewer District by operation of this action (i.e., those properties within the area formerly referred to as the Horsepower Motorworks Sewer District) will be in accordance with the formula established by the Town Board as set forth in Chapter 162 of the Victor Town Code, and this action will not significantly change the costs for residential or commercial properties; and

WHEREAS, maintenance and operation charges will be calculated as more specifically set forth in Chapter 162; and

WHEREAS, a hook-up fee will be charged in accordance with Chapter 162 of the Victor Town Code; and

WHEREAS, the Report describing the Horsepower Motorworks, and the Agreement, are both on file in the office of the Town Clerk where they are available for public inspection; now, therefore be it

ORDERED and RESOLVED, that, pursuant to Article 12 of the Town Law, the Town Board of the Town of Victor, shall meet at the Town Hall, 85 East Main Street, Victor, New York, on the 9th day of March, 2020, at 7:00 p.m. for the purpose of conducting a public hearing on the proposal to create the Horsepower Motorworks Sewer District as well as the simultaneous consolidation of the Horsepower Motorworks Sewer District into the Town of Victor Consolidated Sewer District, at which time and place all persons interested in the subjects thereof may be heard; and be it further

ORDERED and RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to duly publish and post a copy of this Order in the official Town newspaper, on the bulletin board in the office of said Town Clerk, and on the Town website not less than ten (10) days before and not more than twenty (20) days before the public hearing date as is required by Town Law and complete or arrange for the securing of Affidavits of Publication of Notice and Affidavits of Posting Notice of Public Hearing.

RESOLUTION #21

SET PUBLIC HEARING – LOCAL LAW NO. \_\_\_\_\_ -2020 TO OVERRIDE THE NY TAX LEVY  
LIMIT FOR 2021 – TOWN OF VICTOR

WHEREAS, the Town Board of the Town of Victor recognizes that the Town has continued to experience rapid growth; and

WHEREAS, the Town Board further recognizes that with such growth, along with development in technology, increases in health care costs, etc., the Town is facing increased costs including, but not limited to, costs related to sewer and water infrastructure, highway costs, employee payroll and benefits costs, technology costs, etc.; and

WHEREAS, in part because of the Town's historically low tax rate, the Town's ability to increase revenues via taxation is severely limited due to the NYS Tax Levy Limit (which limits increase in taxation to a percentage of historic taxes); and

WHEREAS, the Town Board finds that, in order to maintain the high level of services and the high standard of living the Town of Victor, it may be necessary to increase taxation beyond the level otherwise permitted by the NYS Tax Cap at NY General Municipal Law Section 3-c; and

WHEREAS, a draft Local Law has been submitted to the Town Board implementing the provision for such override of the Tax Levy Limit for 2021; said draft Local Law is on file with the Town Clerk where it is available for public review; now, therefore, be it

RESOLVED, by the Town Board of the Town of Victor, that a Public Hearing shall be had on the 24<sup>th</sup> day of February 2020, at 7:00 p.m., at the Victor Town Hall, 85 East Main St., Victor, NY, for the purpose of considering the adoption of such Local Law to override the Tax Levy Limit; and be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing in a manner consistent with law.