

Regular Meeting of the Victor Town Board –January 27, 2020

The regular meeting of the Victor Town Board was held on January 27, 2020 starting at 7:00 PM with the following members present:

- PRESENT:**
- Councilman David Condon
 - Councilman Mike Guinan
 - Councilman Ed Kahovec
 - Councilman Drew Cusimano
- ABSENT:**
- Supervisor Jack Marren

OTHERS PRESENT: Karen Bodine-Town Clerk, Frank Pavia- Town Attorney, Mark Years-Highway Superintendent, Brian Emelson- Parks & Recreation, David Nankin, Lee Wagar, Neil Stein, Steve Metzger & Wes Pettee - LaBella Associates, Barb Cole- Finance Director, Tim Brown, and John Turner – DPW Village of Victor.

Deputy Supervisor Condon called to order the regularly scheduled Town Board Meeting and made the following announcements:

- Everyone was asked to sign in on the attendance sheet, cell phones were requested to be turned off, and any private conversations or interviews to be conducted in the hallway or outside. Emergency exit locations were pointed out to the left and right sides of the Main Meeting Room.
- Flag Salute

RESOLUTION #51
APPROVAL OF MINUTES

On motion of Councilman Kahovec, seconded by Councilman Guinan, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

RESOLVED that the minutes of the regular meeting of January 6, 2019 Town Board Meeting Minutes be approved.

RESOLUTION #52
PAYMENT OF BILLS

On motion of Councilman Guinan, seconded by Councilman Cusimano, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

RESOLVED that the bills be approved for Manifest #2 in the amount of \$1,299,547.85. Documentation for these expenditures can be found on vouchers filed by numbers #20200087-20200245.

General Townwide	\$ 406,685.71
General Outside Village	50,714.74
Special Revenue SWMP	4,797.45
Highway Townwide	113,218.16
Sanitary Sewer Capital Project	706,403.41
Fishers Light	192.43
Brookwood Meadows Lighting	200.15
High Point Lighting	509.24

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Cobblestone Lighting	2,828.55
Quail Ridge Lighting	551.16
Rolling Meadows Lighting	589.61
Legacy at the Fairways Lighting	729.98
Stoneleigh Lighting	41.84
SS Consolidated Sewer Fund	285.00
Trust & Agency	11,800.42

Deputy Supervisor Condon reviewed the following expenditures for Manifest #2 that were in the range or exceeded \$10,000.00.

- American Rock Salt Company LLC – road salt
- Griffith Energy – Winter mix and diesel fuel
- Integrated Systems – Disaster recovery plan
- Bluestone Creek Development LLC – February Rent for Parks & Recreation
- Office of the State Comptroller – October & November Fines & Forfeitures Courts
- Victor Local Development Corporation – Annual Contract
- Harris Beach PLLC – December Legal Fees
- Labella Associates PC – December Engineering Fees
- Ontario County Treasurer – 4th Quarter Enhanced Law Enforcement & Court Security
- Victor Tax Receiver – Taxes on Parks & Recreation Facility
- Dakksco Pipeline Corporation – Sewer Capital Project
- Villager Construction Inc. – Sewer Capital Project
- Chalifoux Law PC – Appraisals
- B & M International LLC – Rental for February Court Facility
- Guardian Life Insurance Company- January & February dental insurance
- MVP Health Care – January & February Medical insurance
- Eastern Shore Associates – Annual Insurance Premium

PRIVILEGE OF THE FLOOR:

- **John Turner-** Village Director of Public Works – John addressed the Board to review the Capital Improvement Project for Moore Avenue, Webster Ave. and Dryer Ave. which will begin April 1st and will include water main replacements, adding hydrants, storm sewers, work on sanitary sewers and sewer lines and work on curbing. Reconfiguring of the road leaving the Town Hall to make it easier to see when leaving. Traffic in and out of the road could be a problem. Maybe the Town employees could park across the street while the construction is going on.
- **Wes Pettee-** LaBella Associates addressed the Board to introduce the updated draft of the Sewer Master Plan for the Town. He explained the purpose of this Master Plan is to help the Town respond to projects where developers might request to extend the sanitary sewer district. The secondary purpose is to identify other outstanding issues presently encountered in the operation, funding and support of the district. This plan is intended to coordinate with the comprehensive plan and the Farmington/Victor Sewer study that was done in 2016.
The Board expressed that the document is well done and were in agreement that there should be a workshop to go over this Master Plan.

PUBLIC COMMENTS: None

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REPORTS OF TOWN OFFICIALS AND TOWN COMMITTEE REPORTS:

Highway

Town Clerk

Parks & Recreation

Economic Development/LDC

Assessor

Supervisor – Traffic Report

Councilman Cusimano commented on his orientation with the Town. He was impressed with the teamwork and collaboration in departments. Positive staff members acknowledging and sharing the good work of their colleagues. It was clear that employees and staff members care about what they are doing for the Town.

Town Clerk Karen Bodine explained that the liquor license renewal for Cobblestone was to reflect an address change. Also noted, the traffic studies for Lane Road between Rt.96 & High Street and Cork Road between Rt.251 & Dryer Road were completed and it was determined that a speed reduction was not warranted at this time.

Councilman Cusimano asked clarification if the Town has considered petitioning to become a town of the suburban class to make determinations on speed limits more freely. The Town Clerk mentioned that Supervisor Marren has looked into this. Board discussion followed about criteria that would be involved to become a different classification.

Deputy Supervisor Condon gave an update on Boughton Park and noted that Chauncey Young has been an outstanding addition representing the Commission. The process of lower the classification of hazard on the dam is a difficult process to understand. It may take up to 2 or 3 years to get this classification lowered. He also mentioned to Dave Damaske to take advantage of the Town services when projects or jobs need to be done in the park to help cut down on costs.

Planning Board has two new members and things going well.

BUSINESS:

RESOLUTION #53

AUTHORIZATION OF BANK ACCOUNT FOR SUBSTITUTE JUDGE JAMES MULLEY

On motion of Councilman Guinan, seconded by Councilman Cusimano, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

WHEREAS, the Town Court has a matter in which Judge Holter and Judge Reh have recused themselves; and

WHEREAS, Supervising Judge Craig Doran has requested that Judge James Mulley from the Town of Penfield sit in on this matter; now, therefore, be it

RESOLVED, that the Town Board authorizes Judge James Mulley to open a Canandaigua National Bank account for the receipt of fines and/or surcharges; and further

RESOLVED, that a copy of this resolution be forwarded to the Finance Director, Town Clerk, Judge Holter, Judge Reh, and the Unified Court System Seventh Judicial District.

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RESOLUTION # 54

CORRECTION OF MANIFEST #1-2020

On motion of Councilman Kahovec, seconded by Councilman Guinan, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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.

RESOLUTION #55

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

On motion of Councilman Cusimano, seconded by Councilman Kahovec, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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 #56

DESIGNATION OF VOTING DELEGATE FOR ASSOCIATION OF TOWNS MEETING

On motion of Councilman Kahovec, seconded by Councilman Cusimano, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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 #57

ACCEPT SPECIAL EVENTS SPONSORSHIP DONATIONS

On motion of Councilman Kahovec, seconded by Councilman Guinan, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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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 #58
MEMORANDUM OF UNDERSTANDING - ONTARIO COUNTY FOUR SEASONS LOCAL DEVELOPMENT CORPORATION dba A FINGER LAKES VISITORS CONNECTION

On motion of Councilman Kahovec, seconded by Councilman Cusimano, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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

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

RESOLUTION #59
BUDGET TRANSFERS OPERATING FUNDS

On motion of Councilman Guinan, seconded by Councilman Cusimano, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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

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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.

**Discussion on Resolution #60: The village will be sending the current Boom Bucket Truck to auction.*

RESOLUTION #60

PURCHASE 2021 ALTEC MODEL LR758RM ARTICULATING OVERCENTER AERIAL DEVICE

On motion of Councilman Guinan, seconded by Councilman Kahovec, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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.

**Discussion on Resolution #61: Barb Cole explained to the Board that work is still being done on the agreement, this is authorization to enter into the agreement with the Village. The Town and Village would own the Bucket truck 50/50. Once the agreement is finished, our attorney will review the document for approval.*

RESOLUTION #61

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

On motion of Councilman Guinan, seconded by Councilman Cusimano, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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

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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 #62

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

On motion of Councilman Guinan, seconded by Councilman Cusimano, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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 to the Highway Superintendent, Finance Department, Town Clerk, and Milton Cat, 4610 East Saile Drive, Batavia, NY 14020.

RESOLUTION #63

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

On motion of Councilman Kahovec, seconded by Councilman Cusimano, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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

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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 #64

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

On motion of Councilman Guinan, seconded by Councilman Kahovec, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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 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 #65

RENEW CONTRACT - MESSENGER POST MEDIA/ADNET PRINTING

On motion of Councilman Kahovec, seconded by Councilman Guinan, the following resolution was adopted:

4 Ayes: 0 nays *unanimously approved*

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, total cost as follows:

Total Cost	Town Portion	Parks Portion
\$1,080.00	\$480.00	\$600.00 (36 hrs. estimated for layout)
\$4397.82	\$2441.86	\$1995.96 (Printing)
\$210.00	\$105.00	\$105.00 (Estimated Printing)

And further

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RESOLVED, that the Town Board authorizes the Supervisor to enter into a two (2) 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, 2021 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 Five Thousand Six Hundred Eighty Seven Dollars and Eighty Two cents (\$5,687.82) per mailing, said funds are included and available in the 2020 & 2021 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.

PUBLIC COMMENTS:

- **Dave Nankin** – was curious how much land would still be available if the sewer was not extended right now and left the way it is. Also he commented on the partnership with the Village on the bucket truck and seemed to think the Town would use it more.
- **Deputy Supervisor Condon** noted that the Village actually uses the bucket truck for many things.
- **Councilman Guinan** explained that in the past the Town hired many jobs to outside contractors and now to cut down on this expense these jobs can be done by our employees. He also noted that our current sewer system is heavily taxed and the Sewer Master Plan should have been in place years ago.
- **Deputy Supervisor Condon** commented that in 2020 he would like to see some changes made with how we do business with developers and charge back costs to the Town. **Frank Pavia** weighed in and noted that with many municipalities the developer will put the cost up front. **Councilman Guinan** noted there will be a forum with developers in the spring through LDC.
- **Neil Stein** – questioned how the cost of the current sewer projects and reconstruction are being paid. Costs are shared with anyone in the town that uses sewer or lives in a sewer district.

ADJOURNMENT:

With no further business to come before the Board, the regular Town Board meeting was adjourned at 7:58 PM on motion by Councilman Kahovec, seconded by Councilman Guinan. Motion carried.

Respectfully Submitted,

Karen C. Bodine- Town Clerk