

A regular meeting of the Victor Town Board was held on April 22, 2019 at 7:00PM with the following Board Members present:

PRESENT:

Supervisor	Jack Marren
Councilman	David Condon
Councilman	David Tantillo
Councilman	Mike Guinan
Councilman	Ed Kahovec

OTHERS PRESENT: Karen Bodine-Town Clerk, Frank Pavia- Town Attorney, Barb Cole-Finance Director, Mark Years-Highway Superintendent, Casey Paige, Brian Emelson- Parks & Recreation Director, Stephanie Holtz- Assessor, Kristen Cavatassi, Danielle Ferri, Brent Rosiek, Joel Ritcher, Lee Wagar, David Nankin, Steve Metzger- LaBella Associates and Tim Brown.

Supervisor Marren called the meeting to order at 7:00PM 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 led by Tim Brown
- Birthdays for the Month of May
- Reminder of Mother’s Day on May 12th and Memorial Day Parade

RESOLUTION #193
APPROVAL OF MINUTES

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

RESOLVED that the minutes of the regular meeting of March 25, 2019 be approved.

RESOLUTION #194
PAYMENT OF BILLS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

RESOLVED that the bills be approved for Manifest #8 in the amount of \$205,463.71. Documentation for these expenditures can be found on vouchers filed by numbers #20190696 - 20190823.

General Townwide	\$ 62,078.89
General Outside Village	21,836.71
Special Revenue SWMP	54,223.98
Highway Townwide	32,509.50
Route 96 Infrastructure Project	427.50
Sanitary Conveyance Project	21,023.13
Storm Sewer Mapping Project	2,407.50

SS Consolidated Sewer Fund	1,333.75
Trust & Agency	9,622.75

Supervisor Marren reviewed the following seven expenditures that were in the range of or exceeded \$10,000.00.

- LaBella Associates for Professional Services from Feb. 23- March 22, chargeback's to developers and Sewer Capital Project costs.
- LaBella Associates – Access Management Phase 1
- Harris Beach – Legal Services for the Month of March, Litigation matters, chargeback's, and Sewer Project Easement Preparations
- B & M International – Rental for Victor Town Courts for the month of May
- American Rock Salt – road salt
- E-Waste- Town hosted E-Waste event on 3-29-19
- Waste Harmonics – 35 yard self-contained compactor

PRIVILEGE OF THE FLOOR-

- **Brent Rosiek**- Contractor representing the owners of 7943 Oak Brook Circle. The owners are requesting to install a Curtain Drain within a Town easement to help with Septic improvements to the property. After some discussion by the Board, this has been tabled until the Highway Superintendent has a chance to look at the property and go over the details with Marty Avila and Keith Maynard.
- **Tom Zuber**-Town Auditor, Raymond F. Wager, CPA, PC of Mengel Metzger Barr & Company presented the Town of Victor's audit findings and reported that the Town ended the year in good financial position and is continuing to move in a very positive direction. Time is spent looking at the Fund Balances and Reserves under the three major funds. The enhancement of the Fund Balance policy has helped to designate where the money is disbursed between the three major funds.
- **Councilman Tantillo** stated that in his eight years of serving, this is by far the most thorough audit he has seen. He gave kudos to both Tom Zuber and Barb Cole for a great job. He also noted that he would like to capture the Courts lease terminating and getting into a Town owned facility like what was captured with the Parks and Recreation owning their own facility. Also to do the same with a new Highway facility.
- **Councilman Condon** feels and recognized that this is a reflection of the work of all the employees working for the Town. Many of the employees across the board are stepping up and making sacrifices in the interest of the Town.
- **Councilman Guinan** also expressed a job well done by Barb Cole, noting that she has filled in all the grey areas and the Town's financial forecast has been the most accurate.

PUBLIC COMMENTS: None

REPORTS OF TOWN OFFICIALS:

- **Casey Paige**- Highway/Recycle Center gave an update on the Local Solid Waste Management Plan. The new 35 yard self-contained compactor has been installed. 500 reusable shopping bags have been ordered, along with new recycle/trash receptacles for the Parks and Recreation. A brush/leaf sorting area will be built at the transfer station to help with better mulch quality. A Compost Workshop will be held on June 13, 2019 at

the Town Hall @ 7:00PM. Casey gave an overview of the pilot program for home composting. Organix Green has the home compost bins and Impact Earth has the bucket exchange program. Casey has done a lot of research on this and felt these two programs would fit best in our community.

***Board discussion followed and there were no objections to trying the pilot program. They also felt it was important to educate the community on this concept.**

- Supervisor Marren read aloud the Proclamation declaring May 3rd- May 10th as Week for Honor Flight Rochester

SUPERVISOR REPORT

- DOT Public Information Meeting Announcement
- Victor Patrol March Report
- Ontario County Planning Board Findings and Decisions
- Voting Reform Laws in New York State
- Proposed Golf Course Property Assessment Changes to NYS Law
- Board of Supervisors Ontario County Tourism Tour
- Letter from Town resident

Town Officials Reports

1. Victor Fire Department
2. Highway Department
3. Assessor
4. IT
5. Economic Development

Committee Reports:

BUSINESS:

RESOLUTION #195

AUTHORIZATION TO ENTER INTO AGREEMENT - UNITED RENTALS FOR PORTABLE TOILET RENTALS FOR DEPARTMENT OF PARKS AND RECREATION

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the Department of Parks and Recreation has the need to rent seasonal, portable, handicap accessible toilet units for Fishers Park, Harlan Fisher Park, Lehigh Crossing Park and Village on the Park; and

WHEREAS, funds are included and available in the 2019 Budget line item A7110.4; and

WHEREAS, the Director of Parks and Recreation has obtained the following written quotations for these items;

Vendor	Per Unit / Per Month Price Quote	Anticipated Annual Cost to the Town
United Rentals DBA Reliable Onsite Services	\$127.00	\$3,810.00

O'Brien's Septic and Portable Toilets	\$135.00	\$4,050.00
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and;

WHEREAS, the Director of Parks and Recreation recommends that the Town enter into agreement with United Rentals for the rental of seasonal, portable, handicap accessible toilet units for Fishers Park, Harlan Fisher Park, Lehigh Crossing Park and Village on the Park at a cost of One Hundred Twenty Seven Dollars (\$127.00) per unit / per month; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor to enter into agreement with United Rentals to rent seasonal, portable, handicap accessible toilet units for Fishers Park, Harlan Fisher Park, Lehigh Crossing Park and Village on the Park at a cost of One Hundred Twenty Seven Dollars (\$127.00) per unit / per month, said funds are included and available in the 2019 Budget line item A7110.4 Parks and Trails Operations; and further

RESOLVED, that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Karen Bodine, Town Clerk; Barbara Cole, Director of Finance; and Blake Eigen, United Rentals.

RESOLUTION #196

AUTHORIZATION TO SELL MISCELLANEOUS HIGHWAY DEPARTMENT EQUIPMENT AT AUCTION

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the Town of Victor Highway Superintendent has reviewed the equipment inventory; and

WHEREAS, the following items are no longer needed:

- 1991 Locke single axle trailer VIN #1L9FS12110L088093
- 1989 14' W x 12' H x 32' L DeVilbiss Paint Spray Booth
- 1 New Heavy Truck 70 Gallon Diesel Tank
- 2 Kohler Power System Transfer Switches
- 1 Spectrum Detroit Diesel Transfer Switch
- 1 Stone Trash Pump with Wisconsin Motor, Serial # 2471232
- 1 Homelite AC Generator
- 2 Crouse-Hines Posi-Lock Panels
- 1 Mower off Badger Excavator
- 1 Steel Flat Bed Body for Pickup or Small 6-Wheel Truck
- 4 V-Plows (Fall Auction)
- 1 Stone Jumping Jack; now, therefore, be it

RESOLVED, that the Town Board declare the listed equipment as surplus equipment; and further

RESOLVED, that the Town Board authorizes the sale of this equipment at the May 11, 2019 Municipal Auction; and further

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

RESOLUTION #197

CREATION OF THREE PART-TIME TYPIST POSITIONS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the Town of Victor employs several part-time typists throughout all Town operations; and

WHEREAS, the current Town of Victor personnel roster filed with Ontario County Human Resources requires the creation of three (3) additional Part-Time Typist positions; and

WHEREAS, the Human Resources Office is requesting the creation of three (3) additional Part-Time Typist positions in order to properly classify these current employees into this title; and

WHEREAS, these positions have already been classified and approved by Ontario County Civil Service; now, therefore be it

RESOLVED, that the Victor Town Board approves the creation of three (3) additional Part-Time Typist positions for the Town of Victor, to be classified by account code and salary level dependent upon their respective departments; and further

RESOLVED, that a copy of this resolution be forwarded to Karen Bodine, Town Clerk and Human Resources.

RESOLUTION #198

APPOINTMENT OF KIMBERLY REESE AS SECRETARY TO THE ZONING BOARD OF APPEALS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, Debora Trillaud resigned from the position of Secretary to the Zoning Board of Appeals on April 8, 2019 to transition to a Bookkeeper position for the Town of Victor; and

WHEREAS, the Town Board thanks Debora Trillaud for her service to the Town of Victor and it's residents in the Planning & Building Department; and

WHEREAS, the position of Secretary to the Zoning Board of Appeals is an appointed position for the Town of Victor which is not subject to Civil Service testing /List of Eligible requirements; and

WHEREAS, the position was advertised, and candidates were interviewed on April 12, 2019 by an interview committee consisting of Supervisor Jack Marren, Kim Kinsella – Department Head – Planning & Building, Sean McAdoo – Code Enforcement Officer, Debora Trillaud –Secretary to the Zoning Board of Appeals, and Town Councilman David Condon; and

WHEREAS, it was decided by the interview team that Kimberly Reese possesses the qualifications necessary to fill this position; now, therefore be it

RESOLVED, that Kimberly Reese be appointed to the position of Secretary to the Zoning Board of Appeals for the Town of Victor at a Grade 2, step A salary of Eighteen dollars and Fifty Seven cents (\$18.51)/per hour, to be funded from the 2019 Town Budget Line Item #B.8010.100 – Zoning Personal Services, with a starting date of May 6, 2019 or sooner; and be it further

RESOLVED, that a copy of this resolution be forwarded to Kimberly Reese, Kim Kinsella, Debora Trillaud, Human Resources, Town Clerk’s Office, and the Finance Office.

RESOLUTION #199

APPOINTMENT OF DANIELLE FERRI TO THE TOWN OF VICTOR BOARD OF ASSESSMENT REVIEW

On motion of Councilman Condon, seconded by Councilman Tantillo, the following resolution was adopted:

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, a vacancy on the Town of Victor Board of Assessment Review exists due to the expiration of the term of James Cope on August 31, 2018, and

WHEREAS, the Victor Town Board, the Board of Assessment Review, and the citizens of the Town of Victor wish to thank James Cope for his hard work and dedication while serving as a member of this Board, and

WHEREAS, Danielle Ferri has submitted a letter of interest and resume for this position,

WHEREAS, the Town Supervisor has recommended that Danielle Ferri, Victor, NY be appointed to fulfill this opening on the Board of Assessment Review; now, therefore be it

RESOLVED, that the Town Board appoints Danielle Ferri, Victor, NY to the Town of Victor Board of Assessment Review, effective from April 23, 2019 through August 31, 2023 at a 2019 salary of \$400.00 per year through the end of her term, to be taken from budget line item #A.1360.100 Board of Assessment Review. Personal Services; and be it further

RESOLVED that a copy of this resolution be sent to Danielle Ferri, James Cope, Rebecca Melton, Finance Office, Human Resources, Assessor’s Office, and Robin Johnson – Ontario County Real Property Tax Agency

*Supervisor Marren recognized and thanked Mary Lyng for her dedicated years of service.

RESOLUTION #200

ACCEPTANCE OF THE RETIREMENT OF MARY LYNG FROM THE TOWN OF VICTOR FINANCE OFFICE

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, Mary Lyng has worked for the Town of Victor for 18 years, serving in a variety of roles including Confidential Secretary to the Town Supervisor, Finance Clerk, and Secretary to the Boughton Park Commission; and

WHEREAS, Mary Lyng has submitted her letter of retirement, effective on April 26, 2019; now, therefore be it

RESOLVED, that the Victor Town Board accepts the retirement of Mary Lyng from the Town of Victor Finance Office; and be it further

RESOLVED, that the Victor Town Board wishes Mary Lyng all the best in her new adventures, and thanks her for her years of dedicated service to both the employees and residents of the Town of Victor.

RESOLUTION #201
STANDARD WORK DAY AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS FOR RETIREMENT PURPOSES

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the New York State and Local Employees' Retirement System requires that a standard workday be established for retirement credit purposes; now therefore be it

RESOLVED that this Board hereby establishes the following as the standard work days for elected and appointed officials; and be it further

RESOLVED that this Board will report the following days worked in the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials, who are members of the retirement system, as stated in the New York State and Local Retirement System Standard Work Day and Reporting Resolution for Elected and Appointed Officials (Form RS2417-A), labelled as "Schedule A" and kept in the subject file in the Town Clerk's office; and be it further

RESOLVED that a certified copy of this resolution be posted on the Town of Victor website at www.victorny.org for a minimum of 30 days for public comment; and be it further

RESOLVED, that the completed New York State and Local Retirement System Standard Work Day and Reporting Resolution for Elected and Appointed Officials (Form RS2417-A) transmitted by the Human Resources Office to the New York State Comptroller; and be it further

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

RESOLUTION #202
AUTHORIZATION FOR SUPERVISOR TO SIGN THE STANDARD TITLE VI/NON-DISCRIMINATION ASSURANCES REQUIRED BY THE DEPARTMENT OF TRANSPORTATION'S OFFICE OF CIVIL RIGHTS FOR ALL FEDERALLY-FUNDED PROJECTS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the Department of Transportation’s Office of Civil Rights (OCR) has selected the Town of Victor for a Civil Rights Compliance Review, as the Town has received Federal financial assistance on several projects, either through the Department of Transportation directly or through their subsidiary agencies; and

WHEREAS, the Town of Victor is required to implement and document non-discrimination requirements in its programs and procedures that receive Federal financial assistance; and

WHEREAS, the Department of Transportation’s Office of Civil Rights (OCR) requires that a Standard Title VI/Non-Discrimination Assurance be on file with their department, and is to be reviewed and re-submitted to them every three (3) years; and

WHEREAS, Highway Superintendent Mark Years and Tina Kolaczyk – Human Resources, have attended the required training mandated by the Federal Highway Administration on April 4, 2019 regarding Title VI/Non-Discrimination Assurances; now, therefore be it

RESOLVED, that the Town Supervisor is authorized to sign the Standard Title VI/Non-Discrimination Assurances on behalf of the Town of Victor; and be it further

RESOLVED, that all departments receiving Federal financial assistance will be required to abide by these assurances; and be it further

RESOLVED, that a copy of this resolution and the assurances be sent to Emery Moore – NYS DOT – Office of Civil Rights, Human Resources, Finance Department, Highway Superintendent, Director of Economic Development, Director- Parks & Recreation, Project Coordinator, and the Town Clerk’s Office.

RESOLUTION#203

AUTHORIZATION FOR SUPERVISOR TO EXTEND EXISTING PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH LABELLA ASSOCIATES, P.C.

On motion of Councilman Tantillo, seconded by Councilman Condon, the following resolution was adopted:

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, the Town Board passed Resolution #185-17 on April 26, 2017 extending the Professional Engineering Services Agreement with Labella Associates for the Town of Victor, and

WHEREAS, this contract expires on April 26, 2019, and

WHEREAS, the Town Board wishes to extend the Professional Engineering Services Agreement with Labella Associates for the Town of Victor until April 26, 2020; and

WHEREAS, Labella Associates has submitted pricing for the extension as noted in the attachments marked as “Schedule A” and kept on file in the Town Clerk’s office; now, therefore, be it

RESOLVED that the Town Board hereby authorizes the Town Supervisor to extend the Professional Engineering Services Agreement with Labella Associates for the Town of Victor until April 26, 2020; and be it further

RESOLVED that copies of this resolution be forwarded Labella Associates, Human Resources, Town Clerk, and the Finance Office.

RESOLUTION #204

AMEND 2019 A FUND BUDGET INCREASING BUILDING AND LAND RESERVES FROM UNAPPROPRIATED UNASSIGNED FUND BALANCE

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, funds were allocated in the 2018 budget for the anticipated purchase of land for a new Highway Facility, and

WHEREAS, the anticipated land purchase did not occur in 2018 and the allocated funds rolled to Unassigned Unappropriated Fund Balance at year end, and

WHEREAS, the Town of Victor A Fund Unassigned Unappropriated Fund Balance is higher than the target range per the Town of Victor Fund Balance Policy, and

WHEREAS, a Buildings and Land Fund was established on January 22, 2001, by Resolution #58 to “finance the cost of construction, reconstruction or acquisition of buildings or other property”, and

WHEREAS, the Capital Reserve – R1 Buildings and Land Fund exists in the Town budget as Account A.0878.001, now, therefore, be it

RESOLVED, that the Town Board approves amending the 2019 A Fund budget to allocate excess Fund Balance in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000) to the Capital Reserve – R1 Buildings and Land Account, and

RESOLVED, that the Town Board authorizes the Finance Director to make all necessary entries to achieve this budget amendment upon Town Board approval, and further,

RESOLVED that a copy of this resolution be forwarded to Karen Bodine, Town Clerk and Barbara Cole, Finance Director.

RESOLUTION #205

BUDGET TRANSFERS

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, budget shortfalls have occurred in the B Fund due to unanticipated litigation expense and stormwater drainage projects, and

WHEREAS, the Finance Director has determined a number of budget transfers are required for expenses in B Fund in the 2019 budget, therefore, now be it

RESOLVED that the following 2019 budget transfers be approved as recommended by the Finance Director:

TO:			FROM:		
ACCOUNT NO.	DESCRIPTION	AMOUNT	ACCOUNT NO.	DESCRIPTION	AMOUNT
B.3620.431	Safety Inspection Litigation	\$20,000.00	B.3620.800	Safety Inspection Employee Benefits	\$20,000
B.3620.440	Safety Inspection Engineering	\$2,000	B.3620.800	Safety Inspection Employee Benefits	\$2,000
B.8140.400. FRD	Stormwater Mgmt. Contractual	\$3,000	B.3620.800	Safety Inspection Employee Benefits	\$3,000
B.8140.400. FRD	Stormwater Mgmt. Contractual	\$3,400	B.1910.400	Unallocated Insurance	\$3,400
B.8140.400. FRD	Stormwater Mgmt. Contractual	\$3,700	B.3620.200	Safety Inspection Equipment	\$3,700
B.8140.400. FRD	Stormwater Mgmt. Contractual	\$10,000	B.3620.100	Safety Inspection Personal Services	\$10,000
B.8140.400. FRD	Stormwater Mgmt. Contractual	\$10,000	B.9010.800	NYS Retirement	\$10,000
B.8140.400. FRD	Stormwater Mgmt. Contractual	\$10,000	B.8020.800	Planning Employee Benefits	\$10,000
B.8140.400. FRD	Stormwater Mgmt. Contractual	\$6,400	B.1990.400	Contingent Contractual	\$6,400
B.8140.400. FRD	Stormwater Mgmt. Contractual	\$1,500	B.9030.800	Social Security	\$1,500
B.9060.800	Medical Insurance Employee Benefits	\$6,500	B.9030.800	Social Security	\$6,500

RESOLVED, that the Town Board authorizes the Finance Director to make all necessary entries to achieve this budget amendment upon Town Board approval, and further,

RESOLVED that a copy of this resolution be forwarded to Karen Bodine, Town Clerk and Barbara Cole, Finance Director.

RESOLUTION #206

RESCIND RESOLUTION NO. 564-18 TERMINATION OF ENGBRECHT CONSERVATION EASEMENT - TAX MAP #5.00-1-86.200 - MAIN STREET FISHERS - (16.5 ACRES)

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, Jeff Engbrecht and Jodi Engbrecht submitted a petition to cancel the Term Conservation Easement in order to receive Planning Board approval to enlarge an existing pond located within the Easement; and

WHEREAS, on November 26, 2018 the Town Board approved Resolution No. 564 – Termination of Engebrecht Conservation Easement - Tax Map #5.00-1-86.200 - Main Street Fishers - (16.5 Acres); and

WHEREAS, it has been determined that it would be in the best interest of both the Town and the Engebrecht's to rescind the Termination resolution and to amend the language of the current Term Conservation Easement; now, therefore, be it

RESOLVED, that the Town Board rescinds Resolution No. 564-18 Termination of Engebrecht Conservation Easement - Tax Map #5.00-1-86.200 - Main Street Fishers - (16.5 Acres); and further

RESOLVED, that the Town Board approves the amendment to the language of the Easement; and further

RESOLVED, that the copies of this resolution be forwarded to the applicant, Assessor, Conservation Board, and the Town Clerk.

RESOLUTION #207

AUTHORIZATION FOR SUPERVISOR TO SIGN AMENDMENT TO THE NYSDOT SNOW AND ICE AGREEMENT CONTRACT ADJUSTMENT FOR 2018/2019 SEASON

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, The New York State Department of Transportation (NYSDOT) entered into Contract #D009778 with the Town of Victor to control snow and ice on State Routes 444 and 251 each winter; and

WHEREAS, due to past contractual procedures that did not increase the Snow and Ice Agreement to account for estimated expenditure increases for the 2018/2019 season, the Municipality requests that the Municipal Snow and Ice Agreement be revised to reflect the contract shortages so that outstanding and future obligations can be met; and

WHEREAS, in correspondence dated April 16, 2019 the NYSDOT provided Amendment B (#1) for the Contract Adjustment of additional funds of Eight Thousand Eight Hundred Forty Two and Fifty Five cents (\$8,842.55); now, therefore, be it

RESOLVED, that the Victor Town Board does hereby authorize the Supervisor to sign Amendment B(#1) to Contract #D009778 for the Contract Adjustment of additional funds of Eight Thousand Eight Hundred Forty Two and Fifty Five cents (\$8,842.55); and further

RESOLVED, that a copy of this resolution be forwarded to the Town Clerk, Finance Department, Mark Years, Highway Superintendent; and the New York State Department of Transportation.

RESOLUTION #208

AUTHORIZATION FOR SUPERVISOR TO ENTER INTO AN INTERMUNICIPAL COOPERATION AGREEMENT – 2018 ASSESSMENT ROLL, FOR SHARING COST OF TAX ASSESSMENT LITIGATION

On motion of Councilman Condon, seconded by Councilman Tantillo, the following resolution was adopted:

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, the Ontario County Board of Supervisors, pursuant to Resolution No. 285-2007, established a policy and program for the County to share in the costs of defending legal challenges to real property tax assessments; and

WHEREAS, pursuant to said program, the Town requested that Ontario County and Victor Central School District share in the cost of defending certain certiorari proceedings pending in the Town of Victor; and

WHEREAS, the Ontario County Board of Supervisors, pursuant to Resolution No. 167-2019, authorized the County to share in the cost of defending certain certiorari proceedings and authorized the County Attorney to join with the Towns and Cities to defend the cases; and

WHEREAS, one of these certiorari proceedings contain a total of one parcel located within the Town of Victor and is listed as:

- 1) Filing Index #118978-2018 – Main Street Stop LLC/Walmart, Tax Id No. 6.04-1-78.000; and

WHEREAS, the County of Ontario requires an Intermunicipal Cooperation Agreement to be adopted between Ontario County, Victor Central School District and the Town of Victor authorizing this cost sharing; now, therefore, be it

RESOLVED, that the Victor Town Board authorizes the Supervisor to enter into an Intermunicipal Cooperation Agreement between Ontario County, Victor Central School District and the Town of Victor and kept in the subject file in the Town Clerk's Office; and further

RESOLVED, copies of this resolution will be sent to Ontario County Real Property Tax Service, Victor Central School District, Attorney Sheila Chalifoux, Town Assessor, Town Clerk, and Town Finance Office.

***PULLED**

AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 7943 OAK BROOK CIRCLE TO ALLOW ENCROACHMENT INTO DRAINAGE EASEMENT

RESOLUTION #209

AWARD OF BID – TOWN OF VICTOR CONSOLIDATED SEWER DISTRICT 2018 SANITARY CONVEYANCE IMPROVEMENTS PROJECT

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan
Unanimously Approved

WHEREAS, on December 11, 2017 the Town board approved Resolution No. 516 Bond Resolution dated December 11, 2017 of the Town Board of the Town of Victor, New York, authorizing General Obligation Serial Bonds to finance Sewer System Capital Improvements within the Town, authorizing the issuance of Bond Anticipation Notes in contemplation thereof,

the expenditure of sums for such purpose, and determining other matters in connection therewith; and

WHEREAS, on February 12, 2018 the Town Board approved Resolution No. 83 Authorization of the Sanitary Conveyance Capital Improvement Project; and

WHEREAS, on January 2, 2019, the Town Clerk advertised in the Town designated newspaper an invitation to bid on the project that consists principally of: Contract A consisting principally of the installation of 4-inch, 6-inch, 10-inch and 12-inch force mains, totaling approximately 31,500 by trench excavation, direction drilling and pipe insertion methods and installation of 8-inch, 10-inch and 12-inch gravity sewers totaling approximately 1,050 lineal feet and related appurtenances and Contract B consisting principally of the installation of three new suction-lift sanitary pump stations with up to 100-HP motors, the modification one of existing suction lift sanitary pump station and the installation of a stationary generator at an existing pump station; and

WHEREAS, on February 26, 2019 at 10:00 .m. all bids were opened and read publicly with the following results:

Contract A	Base Bid
Catco	\$4,279,384.95
Randsco Pipeline, Inc.	\$3,690,230.00
V & B Underground	\$3,775,872.95
Villager Construction, Inc.	\$3,324,653.00

Contract A	Alternate*
Catco	\$36,800.00
Randsco Pipeline, Inc.	\$35,500.00
V & B Underground	\$37,600.00
Villager Construction, Inc.	\$40,310.00

*Contract A Alternate is not part of the 2018 Sanitary Conveyance project. It is an add-on to extend sewer to Eastview Manor Apartments property.

Contract B	Base Bid
Blue Heron Construction	\$3,837,611.00
Catco	\$3,497,679.00
Dakksco Pipeline Corp.	\$3,394,944.00
Villager Construction, Inc.	\$3,499,500.00

WHEREAS, due to the higher than expected bids, on March 25, 2019 the Town Board approved Resolution No. 164 Amended and Restated Bond Resolution dated March 25, 2019 of the Town Board of the Town of Victor, New York, authorizing General Obligation Serial Bonds to Finance Sewer System Capital Improvements within the Town, authorizing the issuance of Bond Anticipation Notes in contemplation thereof, the expenditure of sums for such purpose, and determining other matters in connection therewith and Resolution No. 165 the Town Board of the Town of Victor, Ontario County, New York pursuant to Section 202-B of New York Town Law determining that it is in the public interest to undertake certain improvements to the Town of Victor Consolidated Sewer District consisting of the installation of Sanitary Sewer Infrastructure: and

WHEREAS, the Town Engineer has reviewed the submitted low bid for Contract A and found it to meet all specifications and has recommended the award of the bid be made to Villager Construction, Inc. in the amount of Three Million Three Hundred Twenty Four Thousand Six Hundred Fifty Three dollars (\$3,324,653.00) for the base bid and Forty Thousand Three Hundred Ten dollars (\$40,310.00) for the Alternate for a total of Three Million Three Hundred Sixty Four Thousand nine Hundred Sixty Three dollars (\$3,364,963.00); and

WHEREAS, the Town Engineer has reviewed the submitted low bid for Contract B and found it to meet all specifications and has recommended the award of the bid be made to Dakksco Pipeline Corp. in the amount of Three Million Three Hundred Ninety Four Thousand Nine Hundred Forty Four dollars (\$3,394,944.00); now, therefore, be it

RESOLVED, that the construction bid for the Consolidated Sewer District 2018 Sanitary Conveyance Improvements Project Contract A be awarded to Villager Construction, Inc. in the amount of Three Million Three Hundred Twenty Four Thousand Six Hundred Fifty Three dollars (\$3,324,653.00) for the base bid and Forty Thousand Three Hundred Ten dollars (\$40,310.00) for the Alternate for a total of Three Million Three Hundred Sixty Four Thousand nine Hundred Sixty Three dollars (\$3,364,963.00); and further

RESOLVED, that the construction bid for the Consolidated Sewer District 2018 Sanitary Conveyance Improvements Project Contract B be awarded to Dakksco Pipeline Corp. in the amount of Three Million Three Hundred Ninety Four Thousand Nine Hundred Forty Four dollars (\$3,394,944.00); and further

RESOLVED, Contract A and B are being financed through the issuance of Serial Bonds and Bond Anticipation Notes and Contract A Alternative will be financed from the 2019 budget line item SS.8120.400 Sanitary Sewers Contractual; and further

RESOLVED, that a copy of this resolution be forwarded to Villager Construction, Inc, Dakksco Pipeline Corp., LaBella Associates, Mark Years, Highway Superintendent; Town Clerk and the Finance Department.

RESOLUTION #210

AUTHORIZING THE SUPERVISOR TO ENTER INTO AN AGREEMENT TO PURCHASE REAL PROPERTY LOCATED AT 0 AND 1277 BRACE ROAD

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, Joseph E. Stagnitto, Susan E. Stagnitto, Linda J. Nally, Thomas R. Nally, Karen M. Petito, and Carl P. Petito (collectively the "Sellers") are the owners of certain parcels of real property located in the Town of Victor, County of Ontario and State of New York, containing approximately 8.918 acres, and having the Tax Map Identification Numbers: 28.04-1-53.100 and 28.00-1-50.100 (the "Premises"); and

WHEREAS, the Sellers desire to sell the Premises to the Town of Victor and the Town of Victor desires to purchase the Premises from the Seller, on the terms and conditions detailed in that certain Purchase and Sales Agreement between the Sellers and Town of Victor, attached hereto as Schedule A (the "Purchase and Sale Agreement"); and

WHEREAS, the Town Board of the Town of Victor (the “Town Board”) is declared Lead Agency for the purposes of environmental review with respect of the proposed resolution, in accordance with Article 8 of the Environmental Conservation Law of the State of New York, and the regulations promulgated thereunder at 6 NYCRR 617 (collectively, “SEQRA”); and

WHEREAS, the Town Board, as Lead Agency, determined that the proposed purchase described above is an Unlisted Action and, as such, completed a Short Environmental Assessment Form (“SEAF”) pursuant to SEQRA, attached hereto as Schedule B;

WHEREAS, the Town of Victor and Sellers desire to enter into the Purchase and Sale Agreement to convey the Premises to the Town of Victor; and NOW, THEREFORE, it is hereby

RESOLVED, that, upon a comprehensive review of Parts 1, 2, and 3 of the SEAF and the potential environmental impacts associated with the proposed purchase, the Town Board determines that a potential significant adverse environmental impact will not result from the potential purchase, and therefore issues a Negative Declaration pursuant to SEQRA; and be it further

RESOLVED, that the Supervisor for the Town of Victor (the “Supervisor”) is hereby authorized to execute the Purchase and Sale Agreement, as well as all documents necessary to effectuate the purchase, transfer and conveyance of the Premises, and that such documents shall be subject to the review thereof by the Town Attorney as to form and substance; and be it further

RESOLVED, that the Supervisor is hereby authorized to take any and all additional actions as necessary to complete the purchase of the Premises from Sellers pursuant to the Purchase and Sale Agreement; and be it further

RESOLVED, that Supervisor is hereby authorized to execute any and all transfer documents necessary to complete the proposed purchase of the Premises; and be it further

RESOLVED, that the Supervisor is hereby authorized and directed to record with the Ontario County Clerk the bargain and sale deed and, as necessary, any other documentation related to the purchase of the Premises by the Town of Victor; and be it further

RESOLVED, that copies of this Resolution as adopted by the Town Board be filed, published, and circulated to the extent required by any applicable ordinance, statute, or regulation including, if necessary, publication in NYSDEC’s Environmental Notice Bulletin, as well as, provided to the Town Clerk.

**Discussion on Resolution #211- Councilman Condon expressed that as the Town looks forward to expanding the sewer district, it is important to consider the Board’s responsibility to residents. The Town needs to look at gravity flow and making sure developers in the future use top of the line pump stations with back- up systems. The Town Board needs to be clear with LaBella on what the potential future development and built out will show and highlight these areas.*

Supervisor Marren – expressed his support for this action and wanted the Board to support this action, but stipulating today no other extension would be granted unless it was 100% gravity feed until after the Sewer Master Plan is completed and also an amendment to the Comprehensive Plan.

Councilman Tantillo expressed some concerned about projects on the perimeter in surrounding Towns.

Councilman Guinan noted his main concern is to focus on accommodating the Town of Victor and Farmington’s sewer capacity as it relates to the Town of Victor.

RESOLUTION #211**AUTHORIZATION AFTER PUBLIC HEARING FOR THE ESTABLISHMENT OF THE “BLUMONT RISE SUBDIVISION SEWER DISTRICT” AND CONSOLIDATION OF THE SAME INTO THE VICTOR CONSOLIDATED SEWER DISTRICT**

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

5 Ayes: Marren, Tantillo, Condon, Kahovec, Guinan

Unanimously Approved

WHEREAS, the Town Board of the Town of Victor (“the Town”) has received from Woodstone Custom Homes a Consolidated Sewer District Extension Engineers Report requesting an extension to the Town of Victor Consolidated Sewer District (the “Sewer District”) into 107+/- acres of lands located on the south side of Boughton Hill Road, west of the Town of Victor / Town of Farmington town boundary, more specifically depicted on a map contained in the Report (the proposed extension to the Sewer District is hereinafter referred to as the “Blumont Rise Sewer District”); and

WHEREAS, given the nature of the Report and the policy and practice of the Town of Victor with respect to sewer districts, the Report has been converted to one for the establishment and consolidation of the Blumont Rise Sewer District into the Victor Consolidated Sewer District; and

WHEREAS, after the said Report was duly filed in the Office of the Town Clerk of the Town of Victor (where it was then and is currently available for public inspection), the Town Board did duly adopt an Order and Resolution (the “Order”) reciting the proposed establishment of the Blumont Rise Sewer District and a description of the boundaries of the proposed Blumont Rise Sewer District, the maximum amount proposed to be expended for the improvement, that amount being zero dollars (\$0.00), the proposed method of apportioning the cost of such improvement, and the proposed method of financing to be employed, the fact that the Report describing the same are on file in the Town Clerk’s Office for public inspection, and specifying that the Town Board shall meet at the Town Hall, 85 East Main Street, Victor, New York, on the 25th day of March, 2019, for the purposes of conducting a public hearing on the Blumont Rise Sewer District establishment and consolidation, and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, the Order additionally specified that the Blumont Rise Sewer District, simultaneous with the establishment thereof, is to be consolidated into the Victor Consolidated Sewer District, and said Order set forth a descriptive summary of the Proposed Joint Consolidation Agreement for the Town of Victor Consolidated Sewer District and the Blumont Rise Sewer District (the “Agreement”), as well as the costs to typical properties, including fees; and

WHEREAS, copies of said Order were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made, now therefore be it

RESOLVED, that the Order for the notice of the public hearing was duly published and posted as required by law and is otherwise sufficient; and be it further

RESOLVED, that all property and property owners within the proposed Blumont Rise Sewer District are benefitted; and be it further

RESOLVED, that all property and property owners benefitted by the Blumont Rise Sewer District are included within the limits thereof; and be it further

RESOLVED, by the Town Board of the Town of Victor, in the County of Ontario, that it is in the public interest of the Town of Victor to authorize the establishment of the Blumont Rise Sewer District and the simultaneous consolidation thereof into the Victor Consolidated Sewer District; and be it further

RESOLVED, that the Town Board does hereby approve and authorize the establishment of the Blumont Rise Sewer District as well as the simultaneous consolidation thereof into the Town of Victor Consolidated Sewer District pursuant to the Agreement, said Agreement now and hereby adopted by the Town Board as the Final Consolidation Agreement for the Town of Victor Consolidated Sewer District and the Blumont Rise Sewer District; and be it further

RESOLVED, that the capital costs charged to the properties within the Victor Consolidated Sewer District, as consolidated with the Blumont Rise Sewer District, will be in accordance with the formula established by the Town Board as set forth in the Victor Town Code at Chapter 162; and be it further

RESOLVED, that maintenance and operation charges will be calculated and charged as more specifically set forth in the Victor Town Code at Chapter 162; and be it further

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

RESOLVED, that inasmuch as no expenditure of funds for capital costs is authorized herein, and because the Town will not expend any monies for the establishment indicated herein, this Resolution is not subject to the review and/or approval of the State Comptroller of the State of New York; and be it further

RESOLVED, that the Town Board of the Town of Victor determines this action is an Unlisted action under the State Environmental Quality Review Act; and be it further

RESOLVED, that, in consideration of and consistent with Part 2 and Part 3 of the EAF, which are kept in the subject file and are hereby approved, the Town Board finds that this action by the Town will not have a significant adverse impact on the environment and, accordingly, hereby grants a Negative Declaration pursuant to SEQR; and be it further

RESOLVED, that the Town Board's adoption of the Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law of the State of New York and implemented under 6 N.Y.C.R.R. Part 617; and be it further

RESOLVED, that the applicant is directed to provide to the Town Clerk current maps showing parcel boundaries and assessment districts and areas, in both hard copy and digital form for the Clerk to submit to the Ontario County Real Property Office and the Town Assessor; and be it further

RESOLVED, that the Town Clerk of the Town of Victor shall cause a certified copy of this Resolution to be duly filed with the New York State Comptroller; and be it further

RESOLVED, that the Town Clerk publish and post a Notice of Permissive Referendum within 10 days of adoption of this resolution in accordance with Town Law; and be it further

RESOLVED, that the Town Clerk of the Town of Victor shall cause a certified copy of this Resolution to be duly recorded in the Office of the Clerk of Ontario County within ten (10) days of the adoption of this Resolution.

PUBLIC COMMENTS:

- **Lee Wager-** thanked Mark Years for the repairs on Chapel Hill from plowing. Lee asked about the regulations for the Composting program and expressed some concern on where the composting bins can be placed. Staples is offering a \$10.00 coupon off a \$30.00 purchase when you recycle any tech items. Lee also asked if the Board has designated any plans for the Brace Road property. Supervisor Marren noted that the Town may revert the property back to the original zoning.
- **David Nankin-** expressed some concerns regarding the Composting programs. He appreciates recycling and wanted some clarification on how both programs would work.

ADJOURNMENT:

With no further business to come before the Board, the regular Town Board meeting was adjourned at 8:30PM on motion by Councilman Condon, seconded by Councilman Guinan. Motion carried.

Respectfully Submitted,

Karen C. Bodine -Town Clerk