

VICTOR TOWN BOARD MEETING MONDAY JULY 25, 2022

Supervisor Marren called the regular meeting to order @ 7:00PM.

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 exits were pointed out. The meeting was also live streamed via YouTube with text commenting available.

Flag Salute

PRESENT:	Supervisor Marren	Councilman Cusimano
	Councilman Guinan	Councilman Condon
ABSENT:	Councilman Kahovec	

ALSO PRESENT: Karen Bodine- Town Clerk; Frank Pavia- Attorney; Mark Years- Highway Superintendent; Rich O'Donnell – Finance Director; Brian Emelson- Parks & Recreation Department; Lisa Roberts and Gregg Richards- CAC; Suzy Mandrino-IT; Steve Metzger- LaBella Associates; David Nankin; Jeff Smith- Woodstone; Josh Raymor; and Gary Hadden.

SUPERVISOR'S ANNOUNCEMENTS:

- Councilman Kahovec declared necessarily absent
- Employee Birthdays for the month of August
- Early Voting will begin August 13-21, 2022 at the Town Hall and the Congressional Primary will be held from 6:00am-9:00pm on August 23rd in all voting districts throughout the county.

APPROVAL OF MINUTES

On motion of Councilman Cusimano, seconded by Councilman Guinan, the June 27, 2022, and the July 11, 2022, Town Board meeting minutes were approved as presented. Motion Carried.

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)
 1 Abstain for the June 27th Meeting (Condon)

PAYMENT OF BILLS

On motion of Councilman Cusimano, seconded by Councilman Guinan, Manifest #14 in the amount of \$390,449.77 was approved. Motion carried.

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

Documentation for these expenditures can be found on vouchers filed by numbers #20221411-1509.

General Townwide	\$ 144,246.29
General Outside Village	15,546.23
Highway Townwide	338,633.33
Lighting Districts	5,330.94
SS Consolidated Sewers	59,444.00

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Trust & Agency

260.70

Supervisor Marren reviewed the following expenditures for Manifest #14 that were in the range or exceeded \$5,000.00.

- B & M International LLC – August Rent Courts facility - \$10,275.00
- Bluestone Creek Develop. – August Rent Parks/Rec. facility - \$13,825.85
- Colacino Industries – PS-10 Electric (Farmington to reimburse) - \$59,444.00
- CP Ward - Break of Day Culvert Repair - \$214,177.09
- Guardian Insurance – August Employee/Retiree Dental - \$4,816.65
- Harris Beach – June Legal Services - \$21,735.50
- (Chargeback \$15,183.60 - cost to the Town \$6,551.90)
- Midland Asphalt – Road Project Material - \$85,973.20
- MVP Health – August Healthcare Employees/Retirees - \$68,291.59
- New York State Controller – June Court Fines - \$15,994.00
- RGE – June Utility charges (Street Lighting/P&R) - \$9,587.25
- Track Equipment Company – Carrier for Parks/Rec. - \$7,845.00

PRIVILEGE OF THE FLOOR:

Jeff Smith, Woodstone Custom Homes, addressed the Board about a proposed change to the conservation easement language for Willis Hill Estates. When Woodstone filed the easements (which they prepared) there were two different easements. One easement was intended to cover ten acres and above (hatched area shown on map). Because they were unsure of buyers at the time the proposed easement could allow equestrian use in the conservation areas, in addition to agricultural uses.

The other easement covered areas adjacent to their lots (yellow area referenced on map). This easement was restricted to residential gardens vs. any agricultural use, so that the agricultural areas would not bother the residents.

Recently four out of five initial phase 1 lots were sold. Five areas that were previously agricultural areas are continuing to be farmed within the conservation lines. One of the new owners in phase 2 questioned the conservation easement language and Mr. Smith then realized they were in violation of the large area that was adjacent to the phase 3. The language of the type B easement did not conform with the use that they were encouraging.

Mr. Smith asked Kim Kinsella if they could do something like was done in Dorchester Park, where the town wanted to make easements more uniform. Rather than trying to change the type B language, they instead are proposing to take type A language (that allowed animals, equestrian, sheds and feeding stations) and strip the animal language. Essentially, it is the same as conservation A, except it allows agricultural use in those B areas as well.

Supervisor Marren thanked Mr. Smith for going before the Conservation Board. The Conservation Board supports the revised language. They also suggested a revision to paragraph 13A to state agricultural production of trees or crops for human or livestock consumption. They also support the continuation of current farming but said no further

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acreage should be added. Supervisor Marren showed his appreciation for the conservation board's work.

Brian Emelson, Director of Parks & Recreation – In the 2019 parks and recreation master plan, a dog park was seen as a priority by the town board and the parks & recreation citizen's advisory committee. Funds were allocated in 2021 and 2022 to conduct outreach and design. Harlan Fisher Park was chosen (over Village on the Park). A committee was formed for the project.

Josh Raymor, Bear Landscape Architecture discussed the analysis of the site conditions. The northern portion of the park was chosen for the dog park, approximately one acre. He discussed parking, amenities, drainage, plantings, and connections to the residential area. The committee outreach campaign received much input from the community.

Mr. Emelson discussed the costs and possible grants, funding, using the parks and recreation capital reserves and phasing of the project. Town and Village will be involved with labor. He believes this will only cater to residents at first and an annual nominal fee will be charged to cover ongoing upkeep and maintenance.

Lisa Roberts and Greg Richards from the Citizen's Advisory Committee reported the public comment during the outreach has been enthusiastic about the project.

Village Mayor Gary Hadden is happy to hear that the public comment has been positive. He had questions regarding the buffer and the membership and fee. Mr. Emelson discussed having the ability to know what dogs are in the park. Mayor Hadden also reiterated to the board that with the Gullace project sewer will pass through the park. It will not impact the park in a major way; it will go through the southwest corner.

Board members made positive comments about the project. There was further discussion about fencing and grant and sponsorship opportunities.

Supervisor Marren thanked the representatives.

Public Comments or Concerns: None

Report of Town Officials:

- ❖ **Finance**
- ❖ **Highway**
- ❖ **IT**

SUPERVISOR'S VERBAL REPORT:

- Department of Transportation Notice for the Route 96 2-year Rehabilitation Project
- Town vehicles in the back of the Town Hall Parking Lot are parked in a different spot due to suspicious activity around the cars parked out back. A tree was removed for better views of the parking lot by the Town Hall security camera.
- Tentative Meeting date of September 13th at 6:30PM for a Joint Town of Farmington and Town of Victor meeting at the Farmington Town Hall for a presentation of the Farmington/Victor Ambulance Corp.

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- Early Voting: Virtually all costs associated with this are now being absorbed by all counties.
- Supervisor looking for feedback from Board members concerning the DiFelice Group presentation with regards to the parcel they own by the Finger Lakes College off Route 251. They were proposing a project as high as four stories, the Board had asked them to do some research based on what we could see from Route 96 and Lehigh Trails. Email Kim Kinsella or Supervisor Marren with your feedback.
- Councilman Kahovec attended the Connect Victor Presentation on the 13th of July which was well attended. Surveys are now out for residents to complete for the potential road between Route 251 and the Village of Victor.

Councilman Cusimano commented he has noticed more motorized vehicles on the road, the type 3 bikes that we do not allow. He asked Brian if he has seen any illegal use of these bikes on the trails.

BUSINESS:**RESOLUTION NO. 209 ACCEPT SPECIAL EVENTS DONATIONS**

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

WHEREAS, the Departments of Economic Development and Parks and Recreation organize a variety of seasonal and community-wide special events; and

WHEREAS, the activities have realized recent donations from 2022 community partners in the amount of Ten Thousand Six Hundred Dollars (\$10,600.00) as follows from:

Wegmans	\$5,000.00
Harris Beach	\$1,000.00
Integrated Systems	\$1,000.00
Canandaigua National Bank	\$1,000.00
DiFelice Development	\$ 500.00
Howard Hanna	\$ 500.00
LaBella Associates	\$ 500.00
Lyons National Bank	\$ 500.00
Mattiaccio Orthodontics	\$ 500.00
Barn Door Events	\$ 100.00

and,

WHEREAS, the Directors of Economic Development and Parks and Recreation recommend that we accept and deposit these donations in support of these community events which will incur costs and require expenditures within the 2022 Budget Line A.7550.400 Celebrations Contractual; now, therefore be it

RESOLVED that the Town Board accepts the above partnership donations in the amount of Ten Thousand Six Hundred Dollars (\$10,600.00) and authorizes the Finance Director to increase the revenue line A.2705 Gifts and Donations by Ten Thousand Six Hundred dollars

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(\$10,600.00) in the 2022 Budget. All budget entries to be done upon board approval; and further

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

RESOLUTION NO. 210 EXTEND EXISTING PROFESSIONAL AGREEMENT – BERNARD P. DONEGAN, INC. MUNICIPAL ADVISOR

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

WHEREAS, Bond Counsel had advised that a Post-Issuance Tax Compliance and Continuing Disclosure Policy and Procedure for Tax-Exempt Notes & Bonds be adopted by the Victor Town Board, now, therefore, be it

WHEREAS, the Town Board re-adopted the Town of Victor Post-Issuance Tax Compliance and Continuing Disclosure Policy and Procedure for Tax-Exempt Notes & Bonds at the annual Organizational Meeting on January 3, 2022, and

WHEREAS, this contract will expire on December 31, 2024; and

WHEREAS, Bernard P. Donegan, Inc. has submitted pricing for the extension of services until December 31, 2024; now, therefore, be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to extend the Professional Municipal Advisor Services Agreement with Bernard P. Donegan, Inc. at an annual rate not to exceed Seventy-Five Hundred dollars (\$7,500.00) annually under the fee schedule included in the terms and conditions as provided in the 2022 contract, and be it further

RESOLVED, fees to be paid from Budget line-item A.1989.400 Government Contractual; and be it further

RESOLVED, that a copy of this resolution be forwarded to Bernard P. Donegan, Inc., Finance Director, and Town Clerk.

RESOLUTION NO.211 ACKNOWLEDGEMENT OF RECEIPT OF FINAL ARPA FUNDS FOR THE TOWN OF VICTOR

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

WHEREAS, the Town Board of the Town of Victor is aware the Town of Victor was awarded \$1,266,970.55 from the Federal government associated with the ARPA (American Rescue Plan Act) Coronavirus Local Fiscal Recovery Fund; and

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WHEREAS, the Town Board is aware the funds were distributed to the Town of Victor in three installments, two in the summer of 2021 and final on July 18, 2022: and

WHEREAS, the Town of Victor received one installment of \$630,909.42 on July 21, 2021, and \$2,575.86 received August 27, 2021 and the remaining balance of \$633,485.27 was received by the Town of Victor on July 18, 2022; and

WHEREAS, in guidance issued by the NYS Comptroller June 2021, the NYS Comptroller classified these funds as non-recurring revenues which are not repeatedly received by local governments and directed local governments to submit a budget amendment; and

WHEREAS, the Town Board understands funds can generally be used to cover permissible costs that were incurred after March 3, 2021, and the deadline to obligate funds is December 31, 2024, and the deadline to spend funds is December 31, 2026; and

WHEREAS, the Town Board understands the monies may be used for the following categories:

- To respond to the COVID-19 public health emergency or its negative economic impacts.
- To provide premium pay to essential workers.
- To cover loss of revenue to provide government services.
- To make necessary investments in building improvements, water, sewer, and broadband infrastructure; and

NOW THEREFORE BE IT RESOLVED, the Town Finance Director created Capital Project (ARPA) for accounting of ARPA revenues and expenditures separate from the Town's annual budget; and

BE IT FURTHER RESOLVED, the Town Board acknowledges receipt of the final distribution of \$633,485.27 and following the GASB standards to credit other liability A.0688 until expenditures are incurred at which time the revenue will be recorded; and

BE IT FINALLY RESOLVED, the Town Clerk to provide a copy of this resolution to the Town Finance Director and Town Clerk.

RESOLUTION NO. 212 AUTHORIZATION TO PETITION THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION TO EVALUATE THE SPEED LIMIT ON LYNAUGH ROAD FROM THE VILLAGE LINE TO COUNTY ROAD 9

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

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WHEREAS, the Highway Superintendent has concerns regarding residential development and increased traffic due to the new round-about, he is requesting an evaluation of the speed limit on Lynaugh Road from the Village of Victor line to County Road 9; now, therefore, be it

RESOLVED the Highway Superintendent proceed with petitioning the State Department of Transportation for evaluation of Lynaugh Road between the Village of Victor line and County Road 9 within the Town of Victor, for a reduced speed limit; and further

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

RESOLUTION NO.213 AUTHORIZATION TO CREATE PLANNING & BUILDING DEPARTMENT CONSTRUCTION INSPECTOR POSITION

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

WHEREAS, the Town has the need to create one full-time position in its Planning & Building Department for a Construction Inspector, as described on the Ontario County Human Resources job description; and

WHEREAS, the position will replace the construction inspection duties currently being done by the Town's engineering firm, and as such, funds are provided for in the Planning & Building Department 2022 Operating Budget line B.3620.100 Building- Safety Inspection Personal Services at a Grade 4, Step A hourly rate of twenty-five dollars and fifty-four cents per hour (\$25.54 / hour); now therefore, be it

RESOLVED, that the position of Construction Inspector for the Planning & Building Department be created at a Grade 4, step A hourly salary rate of \$24.42 / hour (twenty-four dollars and forty-two cents per hour) and is to be funded from line B.3620.100 Building- Safety Inspection Personal Services in the 2022 Operating Budget; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Planning & Building Department, Human Resources Department, Finance Department, and the Town Clerk.

RESOLUTION NO. 214 AUTHORIZATION FOR SUPERVISOR TO ENTER INTO AN AGREEMENT WITH EASTVIEW MALL TO HOST A "CLIMB ABOARD VICTOR" EVENT ON SEPTEMBER 3, 2022

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

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WHEREAS, the Town wishes to host a "Climb Aboard Victor" event on September 3, 2022, from 10:00 AM - 3:00 PM, which will involve vehicles from a variety of public, emergency services, and military vehicles, and

WHEREAS, Eastview Mall has graciously agreed to allow this event to take place in their parking lot, subject to the Town of Victor entering into an Exhibitor Agreement with Eastview Mall for this event, and

WHEREAS, the Exhibitor Agreement has been reviewed by the Town Board and Town Attorney; now, therefore be it

RESOLVED that the Town Board authorizes the Town Supervisor to enter into an agreement with Eastview Mall to host the "Climb Aboard Victor" event on September 3, 2022, in Eastview Mall's parking lot, and be it further

RESOLVED, that a copy of this resolution be sent to Eastview Mall, Town Clerk, Human Resources, and Councilman Drew Cusimano.

RESOLUTION NO. 215 SET PUBLIC HEARING – PROPOSED LOCAL LAW TO AMEND CHAPTERS 90 DOGS & 148 PARKS

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

WHEREAS, the Town Board has identified the need to amend Chapter 90 Dogs and Chapter 148 Parks; and

WHEREAS, a proposed Local Law has been submitted for the Town Board's review and is on file with the Town Clerk; now, therefore, be it

RESOLVED that a Public Hearing regarding the Local Law being proposed to amend Chapters 90 Dogs & 148 Parks shall be held on August 22, 2022, at 7:00 p.m., at the Victor Town Hall located at 85 E. Main Street, Victor, NY and live streamed via YouTube: and be it further

RESOLVED that the Town Clerk shall provide and publish such notice(s) of the Public Hearing(s) scheduled herein as are required under the New York Town Law and the New York Municipal Home Rule Law; and further

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

RESOLUTION NO.216 SET PUBLIC HEARING – SOUTHGATE HILLS 1 & 2 TOWN OF VICTOR DRAINAGE IMPROVEMENT AREA

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

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WHEREAS, on behalf of Riedman Acquisitions LLC, BME Associates submitted information for Southgate Hills Section 1 and 2 in support of the subdivisions to be included in the Town's Drainage Improvement Area; and

WHEREAS, LaBella Associates reviewed and commented on the Special District Application dated 3/25/22, Drainage Improvement Area report, dated 3/28/22 and Short Environmental Assessment Form and responses were supplied by BME Associates on 5/31/2022; and now, therefore, be it

RESOLVED by the Victor Town Board, that a Public Hearing shall be scheduled on the 22nd day of August 2022, at 7:00 p.m., at the Victor Town Hall, 85 East Main Street, Victor, NY, for the purpose of considering Southgate Hill Subdivision Sections 1 & 2 to be included in the Town of Victor Drainage Improvement Area; and further

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

**RESOLUTION NO. 217 SET PUBLIC HEARING – PROPOSED CHANGE TO LOCAL LAW
CHAPTER 188, ARTICLE I SENIOR CITIZENS EXEMPTION**

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

WHEREAS, the Town Assessor has informed the Town Board of a series of changes taking place in the New York State Legislature affecting property tax-related bills; and

WHEREAS, the Town Board currently allows for senior citizen exemptions based on income, medical expenses, veterans' disability payments, a sliding tax scale for residents who are age 65 before 12/31, late filings up to and including on Grievance Day, and provides the highest current exemption rate in Ontario County; and

WHEREAS, the current Local Law, Chapter 188.Taxation, Article I Senior Citizens Exemption, §188-2 Exemptions Granted, subsection B currently states that the "exemptions for senior citizen ownership status, residency, occupancy and income as set forth in §467 of the New York State Real Property Tax Law, as amended from time to time, *which shall be construed to provide the maximum tax relief permissible*"; and

WHEREAS, it is the recommendation of our Town Assessor to amend Local Law, Chapter 188.Taxation, Article I. Senior Citizens Exemption, §188-2 Exemptions Granted to read that the "exemptions for senior citizen ownership status, residency, occupancy and income as set forth in §467 of the New York State Real Property Tax Law, as amended from time to time, *at the discretion of the Town Board*"; and

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WHEREAS, a draft Local Law has been submitted to the Town Board implementing the change to Local Law, Chapter 188.Taxation, Article I Senior Citizens Exemption, §188-2 Exemptions Granted; 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 held on the 22nd day of August 2022, at 7:00 p.m., at the Victor Town Hall, 85 East Main Street, Victor, NY, for the purpose of considering the adoption of such Local Law to amend Chapter 188.Taxation, §188-2 Exemptions Granted, subsection B; and be it further

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

RESOLUTION NO. 218 APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

WHEREAS, The Monroe County Water Authority ("Authority") is responsible for the future replacement of the existing water main throughout the Town of Victor; and

WHEREAS, the acquisition of one (1) easement per property is necessary for the construction, installation, operation, and maintenance of a future replacement water main; and

WHEREAS, the approximately 15' wide frontage easements necessary for the future replacement water main are located along the frontage of 6485 Break of Day Road (Tax Acct. No. 28.04-1-31.110), which is owned by Brett Jones and Laci Paluck; 7241 Valentown Road (Tax Acct. No. 1.02-1-21), which is owned by CoMarkholdings, LLC; 7731 NYS Route 251 (Tax Acct. No.s 15.1-1-60 & 15.1-1-61), which is owned by Pet Pride of NY; 0 County Road 41 (Tax Acct. No. 40.0-1-6.000), which is owned by Roger and Christine Morrison, and

WHEREAS, the acquisition is necessary to allow for the completion of the construction, installation, operation, and maintenance of the future replacement water main which will allow the Authority to continue to provide potable water supply and fire protection to the area; and

WHEREAS, §1096(6-a) of New York's Public Authorities Law requires the Authority to obtain the prior approval of the above-referenced acquisition by the Town Board.

NOW, THEREFORE, let it be

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RESOLVED, that the Town hereby approves of the Authority's acquisition of the frontage easements at 6485 Break of Day Road, 7241 Valentown Road, 7731 NYS Route 251, and 0 County Road 41 in accordance with §1096(6-a) of the New York Public Authorities Law and be it further

RESOLVED that a copy of this resolution be provided to the Authority.

RESOLUTION NO.219 LETTER OF CREDIT – BLUMONT RISE SUBDIVISION - RELEASE 3

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

WHEREAS, upon Woodstone Custom Homes receiving Planning Board approval for the Blumont Rise Subdivision, a Canandaigua National Bank Irrevocable Letter of Credit was posted with the Town to cover the cost of improvements and infrastructure; and,

WHEREAS, in their July 20, 2022 letter, the Town Engineer recommended that One Hundred Thousand Four Hundred Eighty-Five dollars (\$100,485.00) be released from said Letter of Credit conditioned upon payment of all fees owed the Town; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 3 on the Canandaigua National Bank Irrevocable Letter of Credit in the amount of One Hundred Thousand Four Hundred Eighty-Five dollars (\$100,485.00) conditioned upon payment of all fees owed to the Town; and further

RESOLVED that given said release, there now remains Three Hundred Thirty-Seven Thousand Sixty-One dollars (\$337,061.00) in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Town Engineer, Woodstone Custom Homes, Finance Director, and Town Clerk.

RESOLUTION NO. 220 LETTER OF CREDIT – WILLIS HILL ESTATES PHASE 2 - RELEASE 3

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

WHEREAS, upon Woodstone Custom Homes LLC, receiving Planning Board approval for Willis Hill Estates Phase 2 a Canandaigua National Bank Irrevocable Letter of Credit was posted with the Town to cover the cost of improvements and infrastructure; and

WHEREAS, in their July 21, 2022 letter, the Town Engineer recommended that One Hundred Sixteen Thousand Eight Hundred Eighty-Eight dollars (\$116,888.00) be released from said Letter of Credit conditioned upon payment of all fees owed the Town; now, therefore, be it

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RESOLVED that the Town Board hereby approves Release No. 3 on the Canandaigua National Bank Irrevocable Letter of Credit in the amount of One Hundred Sixteen Thousand Eight Hundred Eighty-Eight dollars (\$116,888.00) conditioned upon payment of all engineering and inspection fees owed to the Town; and further

RESOLVED that given said release, there now remains Two Hundred Eighty-Seven Thousand Nine Hundred Sixty-Nine (\$287,969.00) in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Town Engineer, Woodstone Custom Homes LLC, Finance Director, and Town Clerk.

RESOLUTION NO. 221 LETTER OF CREDIT – SOUTHGATE HILLS 2 GRADING ONLY - RELEASE 2

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

WHEREAS, upon Reidman Acquisitions LLC (BRW of Greece LLC) receiving Planning Board approval for the Southgate Hills 2 Subdivision – Grading Only, a Tompkins Community Bank Irrevocable Letter of Credit was posted with the Town to cover the cost of improvements and infrastructure; and,

WHEREAS, in their July 21, 2022 letter, the Town Engineer recommended that One Hundred Ten Thousand Eight Hundred Forty-Nine dollars and Sixty cents (110,849.60) be released from said Letter of Credit conditioned upon payment of all fees owed the Town; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 2 on the Tompkins Community Bank Irrevocable Letter of Credit in the amount of One Hundred Ten Thousand Eight Hundred Forty-Nine dollars and Sixty cents (110,849.60) conditioned upon payment of all fees owed to the Town; and further

RESOLVED that given said release, there now remains Eighty Thousand Seven Hundred Eighty-Seven dollars and Eighteen cents (\$80,787.18) in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Town Engineer, Reidman Acquisitions LLC (BRW of Greece LLC), Finance Director, and Town Clerk.

RESOLUTION NO. 222 APPOINTMENT OF JOANN HENRY PART-TIME DEPUTY TOWN CLERK

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

4 Ayes 0 Nays (Marren, Condon, Cusimano, Guinan)

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WHEREAS, JoAnn Henry was interviewed for the Part-Time Deputy Town Clerk position on July 18, 2022 by the Victor Town Clerk, and

WHEREAS, JoAnn Henry has 27 years' experience as a Town Clerk with the Town of Manchester, and

WHEREAS, the Victor Town Clerk wishes to appoint JoAnn Henry to the Part-Time Deputy Town Clerk position with a starting date of July 18, 2022 at a rate of Twenty-Two dollars and Forty-Six cents (\$22.46/hour) to be charged to the 2022 Town Budget account #A.1410.100 – Town Clerk. Personal Services; now, therefore be it

RESOLVED that JoAnn Henry be appointed to the Deputy Town Clerk position with a starting date of July 18, 2022 at a rate of Twenty-Two dollars and Forty-Six cents (\$22.46/hour) to be charged to the 2022 Town Budget account #A.1410.100 – Town Clerk. Personal Services, and be it further

RESOLVED that a copy of this resolution be sent to JoAnn Henry, Town Clerk, Finance Department, and Human Resources.

Public Comments or Concerns:

David Nankin asked a few questions about the dog park.

- He asked about additional insurance that may be required.
- A limit to the number of dogs that will be allowed into the park
- Would there be sprinklers to keep the grass green
- Waste removal and who would be responsible for it

ADJOURNMENT:

With no further business to come before the Board tonight, motion was made by Councilman Guinan, seconded by Councilman Cusimano to adjourn the regular Town Board meeting at 7:32PM

Respectfully submitted,

Karen C. Bodine, Town Clerk