

**VICTOR TOWN BOARD MEETING  
MONDAY, JUNE 27, 2016  
DRAFT RESOLUTION PACKET**

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

**REGULAR MEETING STARTS AT 7:00 PM**

**PUBLIC HEARINGS start at 7:30 PM**

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

- A. PUBLIC HEARING – LOCAL LAW NO. \_\_\_\_\_ -2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 211 ENTITLED “ZONING,” SECTION 211-3B ENTITLED “GENERAL REGULATIONS FOR LAND USE,” AND SECTION 211-24C(8) ENTITLED “LIGHT INDUSTRIAL DISTRICT REGULATIONS,” TO PERMIT PRIOR NONCONFORMING SINGLE AND TWO-FAMILY USES IN COMMERCIAL, COMMERCIAL/LIGHT INDUSTRIAL, AND LIGHT INDUSTRIAL DISTRICTS TO HAVE CUSTOMARY ACCESSORY USES AND STRUCTURES
  
- B. PUBLIC HEARING - LOCAL LAW NO. \_\_\_ - 2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 211 ENTITLED “ZONING” IN ORDER TO MODIFY THE PLANNED DEVELOPMENT DISTRICT KNOWN AS “EASTVIEW COMMONS”

**8) BUSINESS**

- A. CORRECTION OF MANIFEST #8 (Debra Denz)
  
- B. LEHIGH CROSSING, SECTION 2, LETTER OF CREDIT, RELEASE 2 (Debra Denz)
  
- C. AUTHORIZATION FOR PURCHASE AND DELIVERY OF ENGINEERED WOOD FIBER FOR PLAYGROUND SAFETY SURFACING (Brian Emelson)
  
- D. AUTHORIZATION FOR REPAIR OF JOHN DEERE ZERO TURN MOWER FOR PARKS AND RECREATION DEPARTMENT (Brian Emelson)
  
- E. ACCEPT DONATIONS - TOWN OF VICTOR GATEWAY SIGN AND FOUR CORNERS FLOWER BEDS (Brian Emelson)
  
- F. AUTHORIZATION TO ENTER INTO AGREEMENT WITH SWEET MELISSA FISHING CHARTERS FOR RECREATION PROGRAM (Brian Emelson)
  
- G. AUTHORIZATION FOR SUPERVISOR TO SOLICIT PROPOSALS FOR PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF A TOWN OF VICTOR MOBILE PHONE APPLICATION (Kathy Rayburn)
  
- H. APPROVE TEMPORARY CASH ADVANCES FROM THE GENERAL FUND TO TA PAYROLL ACCOUNT FOR THE TOWN OF VICTOR EMPLOYEE FLEXIBLE SPENDING ACCOUNT PLAN (Gloria Dunton)

- I. APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW – 6876 COUNTY ROAD 41 (BOUGHTON HILL ROAD) (Jack Marren)
- J. CONFIRMING RESOLUTION FOR THE ESTABLISHMENT OF THE "889 STRONG ROAD" SEWER DISTRICT AND CONSOLIDATION OF THE SAME INTO THE VICTOR CONSOLIDATED SEWER DISTRICT (Jack Marren)
- K. RESOLUTION DECLARING THE VICTOR TOWN BOARD'S INTENT TO SERVE AS LEAD AGENCY FOR SEQR WITH REGARD TO AN APPLICATION TO AMEND THE "EASTVIEW COMMONS" PLANNED DEVELOPMENT DISTRICT AND REFERRAL OF THE APPLICATION (Jack Marren)

PH A

NOTICE OF PUBLIC HEARING  
LOCAL LAW NO. \_\_\_ -2016 TO AMEND THE VICTOR TOWN CODE AT  
CHAPTER 211 ENTITLED "ZONING," SECTION 211-3B ENTITLED  
"GENERAL REGULATIONS FOR LAND USE," AND SECTION 211-24C(8)  
ENTITLED "LIGHT INDUSTRIAL DISTRICT REGULATIONS," TO PERMIT  
PRIOR NONCONFORMING SINGLE AND TWO-FAMILY USES IN  
COMMERCIAL, COMMERCIAL/LIGHT INDUSTRIAL, AND LIGHT  
INDUSTRIAL DISTRICTS TO HAVE CUSTOMARY ACCESSORY USES  
AND STRUCTURES

PLEASE TAKE NOTICE that a Local Law has been introduced to the Town Board of the Town of Victor, New York, on June 13, 2016, designated as Local Law No. \_\_\_ - 2016 to amend the Victor Town Code at Chapter 211 entitled "Zoning," Section 211-3B entitled "General Regulations For Land Use," and Section 211-24C(8) entitled "Light Industrial District Regulations." in order to permit prior nonconforming single and two-family uses in Commercial, Commercial/Light Industrial, and Light Industrial Districts to have customary accessory uses and structures.

PLEASE TAKE FURTHER NOTICE that said Local Law No. \_\_\_ - 2016 is on file in the Victor Town Clerk's Office located at the Victor Town Hall, 85 East Main Street, Victor, New York, where it is available for public inspection during regular business hours. This Notice is being provided pursuant to Section 20 of the New York State Municipal Home Rule Law.

PLEASE TAKE FURTHER NOTICE that a Public Hearing upon said Local Law has been scheduled for the 27<sup>th</sup> day of June, 2016 at 7:30 PM, to be held by the Victor Town Board at the Victor Town Hall, 85 East Main Street, Victor, New York. An opportunity to be heard in regard thereto will then and there be given. Written comments may also be directed to the Victor Town Clerk, 85 East Main Street, Victor, New York 14564, on or before 4:30 p.m. on the 27<sup>th</sup> day of June, 2016. The Victor Town Hall has barrier-free access for the physically handicapped, and any such handicapped person seeking transportation to said Public Hearing may contact the Victor Town Clerk during regular business hours.

Date: June 15, 2016

Debra J. Denz, Town Clerk

LOCAL LAW NO. \_\_\_\_\_ -2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 211 ENTITLED "ZONING," SECTION 211-3B ENTITLED "GENERAL REGULATIONS FOR LAND USE," AND SECTION 211-24C(8) ENTITLED "LIGHT INDUSTRIAL DISTRICT REGULATIONS," TO PERMIT PRIOR NONCONFORMING SINGLE AND TWO-FAMILY USES IN COMMERCIAL, COMMERCIAL/LIGHT INDUSTRIAL, AND LIGHT INDUSTRIAL DISTRICTS TO HAVE CUSTOMARY ACCESSORY USES AND STRUCTURES

BE IT ENACTED, by the Town Board of the Town of Victor, Ontario County, State of New York, as follows:

Section I. Authorization

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section II. Title and Purpose

Section III. Legislative Finding

The Town Board of the Town of Victor finds and hereby makes the following determination:

- that under the existing Town Code, owners of prior nonconforming single and two-family uses in non-residentially zoned districts in the Town, specifically, in Commercial, Commercial/Light Industrial, and Light Industrial Districts, where residential uses are not otherwise permitted, are disadvantaged in not being able to use and derive a benefit from the nonconforming residential use that is comparable to similar residential uses in other districts where residential uses are permitted; and
- that permitting some limited expansion of prior nonconforming residential uses for customary accessory uses and structures, as set forth herein, would allow such owners to continue to reasonably benefit from their ongoing use of the property in a manner more equivalent with existing residential uses in other districts, and that such limited expansion would achieve a fair balance between the Town's policy of regulating and ultimately abolishing nonconforming uses and allowing an existing residence to reasonably benefit from the ongoing residential use; and
- that the Town Code should be amended to permit prior nonconforming residential uses in Commercial, Commercial/Light Industrial, and Light Industrial Districts to have customary accessory uses and structures.

Section IV. Amendment

Chapter 211-3 entitled "Zoning" Section 211-3B entitled "General Regulations For Land Use" shall be amended as follows:

- (5) Notwithstanding the foregoing provisions of this Section 211-3(B), prior nonconforming single and two-family dwelling uses in Commercial, Commercial/Light Industrial, and Light Industrial Districts shall be entitled to customary accessory uses and structures as follows:

(a) Customary accessory uses and structures, such as garages and storage sheds, as set forth in Section 211-19. Any proposed accessory uses or structures must comply with the requirements of Chapter 83, where applicable, and must comply with current dimensional area and height requirements of the district in which the property is located.

(6) Any structure destroyed by fire or other calamity may be restored within 12 months of such destruction and the former use continued, provided that the reconstruction shall not exceed the dimensions of the destroyed property.

(7) Failure to exercise any nonconforming use for a period of 12 months or more shall terminate such nonconforming use of the structure or premises, and thereafter such structure or premises shall be used only in conformity with the provisions of this chapter.

Chapter 211 entitled "Zoning" Section 211-24C(8) entitled "Light Industrial District regulations" shall be amended as follows:

(8). Residential uses.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Victor which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

Section VII. Effective Date

This Local Law will take effect upon filing in the office of the New York State Secretary of State.

PH B

NOTICE OF PUBLIC HEARING  
LOCAL LAW NO. \_\_\_\_ - 2016 TO AMEND THE VICTOR TOWN CODE AT  
CHAPTER 211 ENTITLED "ZONING" IN ORDER TO MODIFY THE  
PLANNED DEVELOPMENT DISTRICT KNOWN AS "EASTVIEW  
COMMONS"

PLEASE TAKE NOTICE that an application has been received seeking to amend the Eastview Commons Planned Development District at Tax Map # 6.00-1-3.100, commonly known as 7607 Commons Blvd., the lands thereon comprising an area formerly the home of an asphalt plant.

PLEASE TAKE FURTHER NOTICE that the applicant seeks to amend the PDD to generally allow for the construction and operation of a self-storage facility as well for the relocation of business offices related to a small business.

PLEASE TAKE FURTHER NOTICE that a draft Local Law relating to said application has been introduced to the Town Board of the Town of Victor, New York designated as Local Law No. \_\_\_\_ - 2016 to amend the Town Code at Chapter 211 entitled "Zoning" in order to modify the Planned Development District Known as "Eastview Commons."

PLEASE TAKE FURTHER NOTICE that said application and draft Local Law are both on file in the Victor Town Clerk's Office located at 85 East Main Street, Victor, New York, where they are available for public inspection during regular business hours.

PLEASE TAKE FURTHER NOTICE that a public hearing upon said application and Local Law has been scheduled for the 27<sup>th</sup> day of June, 2016, at 7:30 PM, to be held by the Victor Town Board at the Victor Town Hall, 85 East Main Street, Victor, New York. An opportunity to be heard in regards thereto will then and there be given. Written comments may also be directed to the Victor Town Clerk, Victor Town Hall, 85 East Main Street, Victor, New York 14564, on or before 4:30 PM on the 27<sup>th</sup> day of June, 2016. The Victor Town Hall has barrier-free access for the physically handicapped, and any such handicapped person seeking transportation to said Public Hearing may contact the Victor Town Clerk during regular business hours.

Dated: June 15, 2016

Debra J. Denz, Town Clerk

LOCAL LAW NO. \_\_\_\_ - 2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 211 ENTITLED "ZONING" IN ORDER TO MODIFY THE PLANNED DEVELOPMENT DISTRICT KNOWN AS "EASTVIEW COMMONS"

BE IT ENACTED, by the Town Board of the Town of Victor, Ontario County, State of New York, as follows:

Section I. Authorization

This Local Law is adopted pursuant to the authority granted to the Town of Victor at Municipal Home Rule Law Section 10 and in accordance with the Victor Town Code at Section 211-27.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. \_\_\_\_ - 2016 to amend the Town Code at Chapter 211 entitled "Zoning" in order to modify the Planned Development District Known as "Eastview Commons." The purpose of this amendment is to modify the existing PDD to allow for the construction and operation of a self-storage facility as well for the relocation of business offices related to a small business, all in an area formerly occupied by an asphalt plant.

Section III. Legislative Finding

The Town Board of the Town of Victor finds and hereby determines that the applicant has submitted an application in compliance with the Victor Town Code at Section 211-27 to amend the Eastview Commons PDD, that the Town Board has reviewed said application and has otherwise duly complied with the procedures set out at Section 211-27 of the Victor Town Code, and that it is in the public interest to grant the relief requested by applicant, so that the subject PDD and related improvements, business, etc. that are a part thereof can continue to thrive, providing valued business and office opportunities in the Town as well as tax revenues, among other benefits. The Town Board further finds that the re-implementation of the site as a mixed small business office and self-storage business use is a benefit to the Town of Victor as it replaces an unused and abandoned site formerly the home of an asphalt plant.

Section IV. Amendment

Chapter 211 entitled "Zoning," Section 27.10 entitled "Eastview Commons Planned Development District" shall be established and shall read as follows:

Eastview Commons Planned Development District Regulations.

The rules, regulations, restrictions and conditions of the Eastview Commons Planned Development District are set forth in Local Law No. 14 of 1997 of the Town of Victor and Resolution # 310 of 1997 of the Town of Victor, which documents incorporate a number of requirements and conditions that also comprise the rules, regulations, restrictions and conditions of the Eastview Commons Planned Development District. Said Local Law, Resolution, all amendments thereto and all related documents are fully incorporated herein and are made a part of these Planned Development District Regulations.

A map filed with the Victor Town Clerk and entitled "Site Plan, Victor Self Storage East, 7606 Commons Blvd, Victor, NY 14564" drawn by Mitchel Design Build, Project No. 15.031, dated

February 23, 2016, shall comprise further regulations of this PDD applicable to the lands depicted thereon, said lands being commonly known as 7607 Commons Blvd., Lot #8, Tax #6.00-1-3.100, comprising approximately 6.983 acres (the "Victor Self Storage Lands"). The Victor Self Storage Lands (which are a part of the Eastview Commons PDD) shall fully comply and be consistent with all aspects of said 2016 map. Said 2016 map is fully incorporated herein and made a part of these Eastview Commons Planned Development District regulations. To the extent said 2016 map conflicts with the prior regulations formerly established via the aforementioned local law and resolution, the 2016 map shall control.

Section V. Validity and Severability

Should any word, section, clause, paragraph, sentence, part or provision of this Local Law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

Section VI. Repeal, Amendment and Supersession of Other Laws

All other Ordinances or Local Laws of the Town of Victor which are in conflict with the provisions of this Local Law are hereby superseded or repealed to the extent necessary to give this Local Law force and effect during its effective period.

Section VII. Effective Date

This Local Law, after its adoption by the Town Board of the Town of Victor, shall take effect immediately upon its filing with the Office of the Secretary of State of the State of New York.

8A

RESOLUTION #  
CORRECTION OF MANIFEST #8

WHEREAS the Finance Dept. has submitted the following void check due to error or duplicate payments that were made resulting in the need to correct the corresponding Manifest; now, therefore, be it

RESOLVED, that the following Manifest be corrected:

#8-2016 04/25/16 total amount be corrected to \$680,842.05, void check 53783 totaling \$531.49 (Voucher #20160779, \$323.99, Voucher 20160868, \$160.00)
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and further

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

8B

RESOLUTION #

LEHIGH CROSSING, SECTION 2, LETTER OF CREDIT, RELEASE 2

WHEREAS, Bluestone Creek Development, LLC, received Planning Board approval for Lehigh Crossing, Section 2 with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, Five Star Bank Irrevocable Letter of Credit No. 7002054929 was previously posted with the Town; and

WHEREAS, the Engineer for the Town has reviewed the Developer's Request for Release of Funds and Statement of Construction No. 2 dated May 18, 2016 and recommends in his letter June 15, 2016 that \$108,100.95, be released from said Letter of Credit; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 2 on the Five Star Bank Irrevocable Letter of Credit No. 7002054929 in the amount of \$108,100.95, as recommended by the Town Engineer; and further

RESOLVED that given said release, there now remains \$603,838.77 in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, Bluestone Creek Development, LLC, and BME Associates.

8C

RESOLUTION #

AUTHORIZATION FOR PURCHASE AND DELIVERY OF ENGINEERED WOOD FIBER FOR PLAYGROUND SAFETY SURFACING

WHEREAS, the Department of Parks and Recreation has the need to purchase and have delivered Two Hundred Cubic Yards (200 cu. yds.) of engineered wood fiber for the re-surfacing of four (4) playgrounds within the Town and Village of Victor; and

WHEREAS, funds are available in the 2016 Budget line item A7140.4 Special Recreation Facilities, Playgrounds Contractual; and

WHEREAS, the Director of Parks and Recreation has obtained the following written quotations:

Bears Playgrounds	\$5,086.00
Gametime, Inc.	\$5,200.00

and

WHEREAS, the Director of Parks and Recreation recommends that the engineered wood fiber be purchased from Bears Playgrounds in an amount not to exceed Five Thousand Eighty Six Dollars (\$5,086.00); now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to purchase said engineered from New York State Fence, Co. Inc in an amount not to exceed Five Thousand Eighty Six Dollars (\$5,086.00), said funds are available in the 2016 Budget line item A7140.4 Special Recreation Facilities, Playgrounds Contractual; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Debra Denz, Town Clerk; Gloria Dunton, Fiscal Manager; and Marcye Bears, Bears Playgrounds.

81

RESOLUTION #  
AUTHORIZATION FOR REPAIR OF JOHN DEERE ZERO TURN MOWER FOR PARKS AND RECREATION DEPARTMENT

WHEREAS, the Town owns a John Deere Zero Turn Mower for its parks and trails maintenance operations; and

WHEREAS, the existing mower requires the replacement of its right handle transmission; and

WHEREAS, it is the recommendation of the Department of Parks and Recreation's Parks Maintenance Assistant that the Town replace the right side transmission to enable it to be utilized for the (2016) maintenance season and then to be sold at auction after the mowing season; and

WHEREAS, the Parks Maintenance Assistant recommends that we accept the service estimate of Lakeland Equipment for the purchase and installation of a new right handle transmission for the John Deere Zero Turn mower at a cost not to exceed One Thousand Five Hundred Ninety Five Dollars and Sixty Six cents (\$1,595.66); and

WHEREAS, funds are available in the (2016) Budget line item A7110.4 Park Operations; now, therefore, be it

RESOLVED that the Town Board authorizes the Department of Parks and Recreation to schedule the replacement of the right handle transmission in its John Deere Zero Turn Mower in an amount not to exceed One Thousand Five Hundred Ninety Five Dollars and Sixty Six cents (\$1,595.66) by Lakeland Equipment, said funds are available in the (2016) Budget line item A7110.4 Park Operations; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Jeff Rader, Parks Maintenance Assistant; Debra Denz, Town Clerk; Gloria Dunton, Fiscal Manager; and Lakeland Equipment.

8E

RESOLUTION #

ACCEPT DONATIONS - TOWN OF VICTOR GATEWAY SIGN AND FOUR CORNERS FLOWER BEDS

WHEREAS, the Victor Garden Club and the Department of Parks and Recreation are collaborating on a project that will introduce a Gateway Sign and flower beds at the New York State Route 96 and Main Street Fishers intersection in the Town of Victor; and

WHEREAS, the Town Board has authorized the Department of Parks and Recreation to purchase and have installed a Gateway Sign in the northwest flower bed of the referenced intersection; and

WHEREAS, the activities associated with the project have realized recent donations from 2016 partners in the amount of Four Thousand Dollars (\$4,000.00) as follows from:

Mary & Daniel Duprey	\$500.00
Dafni & John Antonakakis	\$100.00
Integrated Systems	\$1,000.00
APD Engineering and Architecture	\$100.00
Brite Computers	\$100.00
Sue & David Reh	\$100.00
Robert Bundschuh	\$100.00
Victor Garden Club	\$1,750.00
Renee & Peter Paulsen	\$250.00

and,

WHEREAS, the Director of Parks and Recreation recommends that we accept and deposit these donations in support of this project; now, therefore be it

RESOLVED that the Town Board accepts the above sponsorship donations to be deposited in the 2016 budget line item A2001 Parks and Recreational; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Mary Duprey, President, Victor Garden Club; Gloria Dunton, Fiscal Manager; and Debra Denz, Town Clerk.

8F

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT WITH SWEET MELISSA FISHING CHARTERS FOR RECREATION PROGRAM

WHEREAS, the Department of Parks and Recreation seeks to offer fishing trips for youth, adults and senior citizens as a seasonal recreation program; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Sweet Melissa Fishing Charters to provide equipment and instruction for recreational fishing trips at a cost of One Hundred Dollars (\$100.00) per person; and

WHEREAS, funds are included and available in the 2016 Operating Budget line item A7020.4 Recreation Administration Contractual; now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Sweet Melissa Fishing Charters to provide equipment and instruction for recreational fishing trips at a cost not to exceed Two Thousand Four Hundred Ninety Nine Dollars (\$2,499.00), said funds are included and available in the 2016 Operating Budget line item A7020.4 Recreation Administration Contractual; and further

RESOLVED, that a copy of this resolution be forwarded to Christine Winter, Recreation Supervisor; Brian Emelson, Director of Parks and Recreation; Gloria Dunton, Fiscal Manager; Debra Denz, Town Clerk; and Sweet Melissa Fishing Charters.

8G

RESOLUTION #  
AUTHORIZATION FOR SUPERVISOR TO SOLICIT PROPOSALS FOR PROFESSIONAL SERVICES FOR THE DEVELOPMENT OF A TOWN OF VICTOR MOBILE PHONE APPLICATION

WHEREAS, pursuant to General Municipal Law 103 and the Town's Procurement Policy, the Town Board may direct a policy for the acquisition of services to be rendered to the Town; and

WHEREAS, the Town of Victor wishes to obtain proposals on the development of a mobile phone application that will present information to users on Victor events, attractions, shopping, dining, lodging, recreation, and businesses; now, therefore be it

RESOLVED that the Town Board hereby authorizes the Supervisor to solicit proposals for the development of a mobile phone application; and be it further

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

84

RESOLUTION #

APPROVE TEMPORARY CASH ADVANCES FROM THE GENERAL FUND TO TA PAYROLL ACCOUNT FOR THE TOWN OF VICTOR EMPLOYEE FLEXIBLE SPENDING ACCOUNT PLAN

WHEREAS, on October 22, 2001 the Victor Town Board approved Resolution #329 approving the Town of Victor Employee Benefit Flexible Spending Account Plan (FSA), which was placed in the Town of Victor Employee Handbook; and

WHEREAS, Town employees deposit a portion of their biweekly pay, tax exempt, to be used toward certain medical and insurance expenses associated and in conjunction with their health insurance plan; and

WHEREAS, Town employees are able to spend funds in excess of current contributions for the above mentioned expenses as of January 1st each year; and

WHEREAS, the FSA account will be fully funded by the end of each calendar year based on the employees biweekly contributions; and

WHEREAS, the Victor Town Board wishes to allow temporary cash advances from the General Fund to the TA Payroll Account for the FSA so that it will not be overdrawn during the year; and therefore be it

RESOLVED that the Victor Town Board allow temporary cash advances from the General Fund to the TA Payroll Account for the FSA as needed so that the Victor Employee Benefit Flexible Spending Account Plan will not be overdrawn during the year and for the temporary advances to be paid back by year end, to be effective immediately; and be it further

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

81

RESOLUTION #

APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW – 6876 COUNTY ROAD 41 (BOUGHTON HILL ROAD)

WHEREAS, the Monroe County Water Authority ("Authority") is responsible for the existing water main that provides water service to 6876 County Road 41 (Boughton Hill Road) located, in the town of Victor; and

WHEREAS, the acquisition of one (1) easements is necessary for the operation, maintenance and future replacement of the water main; and

WHEREAS, the easement, is located along the entire frontage of 6876 County Road 41 (Boughton Hill Road) (Tax Acct. No. 28.03-1-19.220), which is owned by Sebastian Curatolo and Anthony J. Valenti and is approximately 145' x 15' respectively as shown on Schedule "A"; and

WHEREAS, the acquisition is necessary to allow for the operation, maintenance and future replacement water main which will allow the Water Authority to continue to provide potable water supply and fire protection to this property and the property owner has agreed to voluntarily grant the easement to the Water Authority; and

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

RESOLVED, that the Town hereby approves of the Water Authority's voluntary acquisition of easements over 6876 County Road 41 (Boughton Hill Road), in accordance with §1096(6-a) of the New York Public Authorities Law; and be it further

RESOLVED, that a copy of the filed easement be forwarded to the Victor Town Clerk; and further

RESOLVED, that a copy of this resolution be provided to Margo Brownlie, Monroe County Water Authority; Kenneth Wilson, Town of Victor Stormwater Management Officer; Wayne Pickering, Town Assessor; Town Attorney, Mark Years, Highway Superintendent; and Debra Denz, Town Clerk.

85

RESOLUTION #  
CONFIRMING RESOLUTION FOR THE ESTABLISHMENT OF THE "889 STRONG ROAD"  
SEWER DISTRICT AND CONSOLIDATION OF THE SAME INTO THE VICTOR  
CONSOLIDATED SEWER DISTRICT

WHEREAS, on May 23, 2016, the Town Board approved and authorized the establishment of the "889 Strong Road" Sewer District as well as the simultaneous consolidation thereof into the Town of Victor Consolidated Sewer District pursuant to the Final Consolidation Agreement for the Town of Victor Consolidated Sewer District and the "889 Strong Road" Sewer District; and

WHEREAS, the Town Engineer provided the Ontario County Real Property Office and the Town Tax Assessor current maps showing parcel boundaries and assessment districts and areas, in both hard copy and digital form; and

WHEREAS, the Town Clerk of the Town of Victor duly filed a certified copy of the approval resolution with the New York State Comptroller; and

WHEREAS, the Town Clerk of the Town of Victor duly recorded a certified copy of the approval resolution in the Office of the Clerk of Ontario County; and

WHEREAS, the Town Clerk duly published and posted a Notice of Permissive Referendum in accordance with Town Law; and

WHEREAS, greater than 30 days have passed since the posting and publishing of said Notice of Permissive Referendum; and

WHEREAS, no petition in opposition to the establishment and consolidation of the "889 Strong Road" Sewer District has been filed; now, therefore, be it

RESOLVED, that the Town Clerk file a certification with the Ontario County Clerk indicating that 30 days have passed since the posting and publishing of the Notice of Permissive Referendum and no petition in opposition to said establishment and consolidation has been filed.

8K

**RESOLUTION #**  
**DECLARING THE VICTOR TOWN BOARD'S INTENT TO SERVE AS LEAD AGENCY FOR**  
**SEQR WITH REGARD TO AN APPLICATION TO AMEND THE EASTVIEW COMMONS**  
**PLANNED DEVELOPMENT DISTRICT AND REFERRAL OF THE APPLICATION**

WHEREAS, on or about March 3, 2016, the Victor Town Clerk received an application (the "Application") from Mitchell Construction Contractors, Inc., on behalf of Victor Self Storage East, LLC, seeking to amend the Eastview Commons Planned Development District (the "PDD"), in order to redevelop property at 7607 Commons Blvd. at Tax Map # 6.00-1-3.100 (the "Property"); and

WHEREAS, the Application has been preliminary classified as an unlisted action pursuant to SEQR; and

WHEREAS, in accordance with SEQR, the Town Board of the Town of Victor previously declared its intent to serve as Lead Agency to conduct an environmental review of the Application; and

WHEREAS, the Town Board duly issued a Lead Agency request and all relevant documents were attached thereto, more than thirty days have passed, and no objections thereto were received by the Town Board; now, therefore, be it

RESOLVED, that the Town Board shall act as Lead Agency with respect to the Application; and further

RESOLVED, that copies of this resolution shall be provided to the Planning and Building Department and Debra Denz, Town Clerk.