VICTOR TOWN BOARD MEETING
TUESDAY, OCTOBER 11, 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 HEARING starts 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 - 2016 SPECIAL ASSESSMENT ROLL TO COLLECT SEWER DISTRICT CAPITAL RECOVERY CHARGE, SEWER DISTRICT CAPITAL IMPROVEMENT COSTS, LIGHTING DISTRICT O&M COSTS AND CENTRAL WATER DISTRICT CAPITAL IMPROVEMENT COSTS BASED ON BENEFIT FORMULAS

B. PUBLIC HEARING RELATING TO ADDITION OF LIGHT POLE TO THE COBBLESTONE CREEK STREET LIGHTING DISTRICT

C. PUBLIC HEARING – LOCAL LAW NO. ___-2016 TO OVERRIDE THE NY TAX LEVY LIMIT FOR 2017 – TOWN OF VICTOR

8) BUSINESS

A. DRUMLINS SECTION 3, PHASE 3, LETTER OF CREDIT, RELEASE 1 (Debra Denz)

B. AUTHORIZATION TO ENTER INTO AGREEMENT WITH PERINTON YOUTH HOCKEY (Brian Emelson)

C. REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS - RECREATION PROGRAMS (Mike Stockman)

D. AUTHORIZATION TO ENTER INTO AGREEMENT WITH DONALD ZORMAN WINTER MUSICAL STAGE MANAGER (Mike Stockman)

E. AUTHORIZATION TO ENTER INTO AGREEMENT WITH SUSAN ZORMAN WINTER MUSICAL ARTISTIC DIRECTOR (Mike Stockman)

F. AUTHORIZATION TO ENTER INTO AGREEMENT WITH PEGGY ZORN WINTER MUSICAL PROGRAM COORDINATOR (Mike Stockman)

G. AUTHORIZATION TO ENTER INTO AGREEMENT WITH JIM ZORN WINTER MUSICAL WING MANAGER (Mike Stockman)

H. AUTHORIZATION TO ENTER INTO AGREEMENT WITH IAN MARSHALL ART CLASSES (Mike Stockman)

I. AUTHORIZATION TO ENTER INTO AGREEMENT WITH TAMMY ALLEN AGNELLO FOR YOUTH DANCE AND ADULT DANCE AND FITNESS (Mike Stockman)

J. AUTHORIZATION FOR SUPERVISOR TO ENTER INTO PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH ASSOCIATES IN EMPLOYEE ASSISTANCE FOR EMPLOYEE ASSISTANCE PROGRAM (Tina Kolaczyk)

K. AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 7248 WINCANTON WAY (TAX MAP # 6.02-3-7.000) TO ALLOW A CONSTRUCTION AND ALTERATIONS TO ENCROACH ONTO A TOWN EASEMENT (Jack Marren)

L. AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 28 STONELEIGH TRAIL (TAX MAP #7.02-1-8.000) TO ALLOW UNDERGROUND DRAINAGE PIPES TO BE INSTALLED BENEATH TOWN PROPERTY (Jack Marren)

M. AUTHORIZATION FOR SUPERVISOR TO ENTER INTO AGREEMENT WITH ONTARIO COUNTY TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT FOR 2016/2017 (Jack Marren)

N. AUTHORIZATION FOR SUPERVISOR TO SOLICIT PROPOSALS FOR TOWN PROFESSIONAL SERVICES FOR ACCOUNTING SERVICES AND A SEPARATE AUDITING FIRM (Jack Marren)

O. AUTHORIZATION FOR THE TRANSFER OF FUNDS FROM THE WATER OPERATING FUND TO THE A.5031.000 INTERFUND TRANSFERS FUND (Barb Cole)

P. BOND RESOLUTION DATED OCTOBER 11, 2016 OF THE TOWN BOARD OF THE TOWN OF VICTOR, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF EQUIPMENT, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH (Barb Cole)

Q. AUTHORIZATION FOR THE TOWN OF VICTOR TO ENTER INTO A PURCHASE OFFER FOR A PERMANENT EASEMENT OVER A PORTION OF REAL PROPERTY LOCATED AT 657 OLD DUTCH ROAD (Jack Marren)

R. AUTHORIZING THE TOWN OF VICTOR TO ENTER INTO A PURCHASE OFFER FOR A PORTION OF REAL PROPERTY AND TEMPORARY EASEMENTS OVER REAL PROPERTY LOCATED AT 660 OLD DUTCH ROAD (Jack Marren)

S. APPROVAL AND ENACTMENT OF MODOCK SPRINGS VALUE PROTECTION PLAN ESCROW AGREEMENT (Jack Marren)

T. ORDER FOR PUBLIC HEARING TO ESTABLISH THE "EAST VICTOR ROAD PROPERTY SEWER DISTRICT" AND CONSOLIDATE IT INTO THE VICTOR CONSOLIDATED SEWER DISTRICT (SOUTHGATE HILLS) (Jack Marren)

U. SET PUBLIC HEARING DATE - 2017 BUDGET (Jack Marren)

V. ADOPTION OF THE 2016 SPECIAL ASSESSMENT ROLL TO COLLECT SEWER DISTRICT CAPITAL RECOVERY CHARGE, SEWER DISTRICT CAPITAL IMPROVEMENT COSTS, LIGHTING DISTRICT O&M COSTS AND CENTRAL WATER DISTRICT CAPITAL IMPROVEMENT COSTS BASED ON BENEFIT FORMULAS (Jack Marren)

W. APPROVAL OF ADDITION OF A LIGHT POLE TO THE COBBLESTONE CREEK STREET LIGHTING DISTRICT (Jack Marren)

X. AFTER PUBLIC HEARING – ADOPT LOCAL LAW NO.__-2016 TO OVERRIDE THE TAX LEVY LIMIT FOR 2017 – TOWN OF VICTOR (Jack Marren)

PHA

LEGAL NOTICE
PUBLIC HEARING
TOWN OF VICTOR
2016 SPECIAL ASSESSMENT ROLL

Notice is hereby given that the 2016 Special Assessment Roll to collect Victor Consolidated Sewer District Capital Recovery Charges and Capital Improvement Costs, Central Water District Capital Improvement Costs, and Lighting District Operating and Maintenance Costs based on Benefit Formula, has been completed and is filed in the office of the Town Clerk at the Victor Town Hall, 85 East Main Street, Victor, New York, where it is available for inspection by any interested person during all regular scheduled office hours.

The Town Board of the Town of Victor will hold a Public Hearing on said 2016 Special Assessment Roll at the Victor Town Hall, 85 East Main St., Victor, New York at 7:30 PM on Tuesday, October 11, 2016. At such time, all citizens wishing to make comments, written or oral, on said 2016 Special Assessment Roll are asked to come forward. 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 p.m. on the 11th day of October, 2016.

The 2016 Special Assessment Roll is available on the Town website at www.victorny.org.

Dated: September 21, 2016 Debra J. Denz, Town Clerk

PH B

NOTICE OF PUBLIC HEARING
ADDITION OF LIGHT POLE TO THE COBBLESTONE CREEK STREET LIGHTING DISTRICT

PLEASE TAKE NOTICE that a proposed addition of a light pole to the Cobblestone Creek Street Lighting District is under consideration by Town Board of the Town of Victor, New York.

PLEASE TAKE NOTICE that said proposal specifically calls for the installation of an additional 18 foot light pole opposite of 85 Barchan Dune Rise (Lot 613) and the existing lights at the intersection of the street with Highland Green on Barchan Dune Rise in the Cobblestone Creek Subdivision at no capital cost to the Town or the Lighting District, but at an aggregate additional monthly fee from RGE in the amount of approximately $40.76, which amount will be assessed among the properties in the Lighting District.

PLEASE TAKE FURTHER NOTICE, that a public hearing upon said proposal has been scheduled for the 11th day of October, 2016 at 7:30 p.m., to be held by the Victor Town Board at 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.

Dated: September 27, 2016 Debra J. Denz, Town Clerk

PHC

NOTICE OF PUBLIC HEARING
LOCAL LAW NO. ___-2016 TO OVERRIDE THE NY TAX LEVY LIMIT FOR 2017 – TOWN OF VICTOR

PLEASE TAKE NOTICE that a draft Local Law has been introduced by the Town Board of the Town of Victor, New York, on September 26, 2016, designated as "Local Law No. ___-2016 to Override the NY Tax Levy Limit for 2017."

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

PLEASE TAKE FURTHER NOTICE that said Local Law would permit the Town of Victor to increase the Town's tax levy beyond that amount otherwise permitted by the NY Tax Levy Limit Legislation (at NY General Municipal Law Section 3-C).

PLEASE TAKE FURTHER NOTICE, that a Public Hearing upon said Local Law has been scheduled for the 11th day of October, 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, Victor Town Hall, 85 East Main Street, Victor, New York 14564, on or before 4:30 PM on the 11th day of October, 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: September 27, 2016 Debra J. Denz, Town Clerk

8A

RESOLUTION #
DRUMLINS SECTION 3, PHASE 3, LETTER OF CREDIT, RELEASE 1

WHEREAS, 7203 Rawson Road, LLC, received Planning Board approval for Drumlins Section 3, Phase 3 with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, Canandaigua National Bank Irrevocable Letter of Credits No. 1106452819 and No. 1106462121 were 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. 1 dated September 7, 2016 and recommends in his letter October 3, 2016 that $25,000.00, be released from said Letter of Credits; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 1 on the Canandaigua National Bank Irrevocable Letter of Credit No. 1106452819 in the amount of $25,000.00, as recommended by the Town Engineer; and further

RESOLVED that given said release, there now remains $692,570.89 in said Letter of Credits; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, 7203 Rawson Road, LLC and BME Associates.

8B

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT WITH PERINTON YOUTH HOCKEY

WHEREAS, the Department of Parks and Recreation would like to offer an introduction to ice skating program and an instruction in youth hockey program; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Perinton Youth Hockey with Perinton Youth Hockey receiving seventy percent (70%) of the program registration proceeds and the Town receiving thirty percent (30%) of the program registration proceeds; and

WHEREAS, Perinton Youth Hockey has provided the Town with all the appropriate documents to support the proposed service agreement; 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 Perinton Youth Hockey to provide an introduction to ice skating program and an instruction in youth hockey program, receiving seventy percent (70%) of the program registration proceeds and the Town receiving thirty percent (30%) of the program registration proceeds, said funds are included and available in the 2016 Operating Budget line item A7020.4 Recreation Administration Contractual; and further

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker or receiving a Certificate of Liability Insurance Waiver and the Attorney for the Town; and further

RESOLVED, that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Christine Winter, Recreation Supervisor; Barb Cole, Town Accountant; Debra Denz, Town Clerk; and George Van Bramer, Perinton Youth Hockey.

8C

RESOLUTION #

REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS - RECREATION PROGRAMS

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

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

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

Vendor	**Event**	**Location of Event**	**Amount of Contract**	**Duration of Contract**
Peggy Zorn	Program Coordinator-Winter Musical	953 High Street	$500.00	December 31, 2017
Donald Zorman	Stage Manager – Winter Musical	953 High Street	$400.00	December 31, 2017
Susan Zorman	Artistic Director – Winter Musical	953 High Street	$400.00	December 31, 2017
Jim Zorn	Wing Manager – Winter Musical	953 High Street	$400.00	December 31, 2017
Ian Marshall	Art Classes	953 High Street	70%- 30%	December 31, 2017

Now, therefore be it

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

Vendor	**Event**	**Location of Event**	**Amount of Contract**	**Duration of Contract**
Peggy Zorn	Program Coordinator-winter musical	953 High Street	$500	December 31, 2017
Donald Zorman	Stage Manager – Winter Musical	953 High Street	$400	December 31, 2017
Susan Zorman	Artistic Director – Winter Musical	953 High Street	$400	December 31, 2017
Jim Zorn	Wing Manager – Winter Musical	953 High Street	$400	December 31, 2017
Ian Marshall	Art Classes	953 High Street	70%- 30%	December 31, 2017

And be it further

RESOLVED that a copy of this resolution be sent to Debra Denz, Town Clerk; Brian Emelson, Director of Parks and Recreation; Mary Lyng, Finance Department; Peggy Zorn, Donald Zorman, Susan Zorman, Jim Zorn, and Ian Marshall.

8D

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT WITH DONALD ZORMAN WINTER MUSICAL STAGE MANAGER

WHEREAS, the Department of Parks and Recreation seeks to offer a winter musical; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into an agreement with Donald Zorman to provide assistance with stage management for the winter musical at a cost not to exceed Four Hundred Dollars ($400.00); and

WHEREAS, Donald Zorman has provided the Town with all the appropriate documents to support the proposed service agreement; 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 Donald Zorman, to provide assistance with stage management for the winter musical at a cost not to exceed Four Hundred Dollars ($400.00) said funds are included and available in the 2016 Operating Budget line item A7020.4 Recreation Administration Contractual; and further

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker or receiving a Certificate of Liability Insurance Waiver and the Attorney for the Town; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Town Accountant, Debra Denz, Town Clerk; and Donald Zorman.

8E

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT WITH SUSAN ZORMAN WINTER MUSICAL ARTISTIC DIRECTOR

WHEREAS, the Department of Parks and Recreation seeks to offer a winter musical; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into an agreement with Susan Zorman to provide assistance with artistic direction for the winter musical at a cost not to exceed Four Hundred Dollars ($400.00); and

WHEREAS, Susan Zorman has provided the Town with all the appropriate documents to support the proposed service agreement; 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 Susan Zorman, to provide assistance with artistic direction for the winter musical at a cost not to exceed Four Hundred Dollars ($400.00) said funds are included and available in the 2016 Operating Budget line item A7020.4 Recreation Administration Contractual; and further

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker or receiving a Certificate of Liability Insurance Waiver and the Attorney for the Town; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Town Accountant, Debra Denz, Town Clerk; and Susan Zorman.

8F

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT WITH PEGGY ZORN WINTER MUSICAL PROGRAM COORDINATOR

WHEREAS, the Department of Parks and Recreation seeks to offer a winter musical; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into an agreement with Peggy Zorn to provide assistance with program coordination for the winter musical at a cost not to exceed Five Hundred Dollars ($500.00); and

WHEREAS, Peggy Zorn has provided the Town with all the appropriate documents to support the proposed service agreement; 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 Peggy Zorn, to provide assistance with program coordination for the winter musical at a cost not to exceed Five Hundred Dollars ($500.00) said funds are included and available in the 2016 Operating Budget line item A7020.4 Recreation Administration Contractual; and further

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker or receiving a Certificate of Liability Insurance Waiver and the Attorney for the Town; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Town Accountant, Debra Denz, Town Clerk; and Peggy Zorn.

8G

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT WITH JIM ZORN WINTER MUSICAL WING MANAGER

WHEREAS, the Department of Parks and Recreation seeks to offer a winter musical; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into an agreement with Jim Zorn to provide assistance with stage wing management for the winter musical at a cost not to exceed Four Hundred Dollars ($400.00); and

WHEREAS, Jim Zorn has provided the Town with all the appropriate documents to support the proposed service agreement; 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 Jim Zorn, to provide assistance with stage wing management for the winter musical at a cost not to exceed Four Hundred Dollars ($400.00) said funds are included and available in the 2016 Operating Budget line item A7020.4 Recreation Administration Contractual; and further

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker or receiving a Certificate of Liability Insurance Waiver and the Attorney for the Town; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Town Accountant, Debra Denz, Town Clerk; and Jim Zorn.

8 H

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT WITH IAN MARSHALL ART CLASSES

WHEREAS, the Department of Parks and Recreation seeks to offer art classes; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Ian Marshall to provide art classes for youth receiving seventy percent (70%) of the program registration proceeds and the Town receiving thirty percent (30%) of the program registration proceeds; and

WHEREAS, Ian Marshall has provided the Town with all the appropriate documents to support the proposed service agreement; 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 Ian Marshall to provide art classes for youth receiving seventy percent (70%) of the program registration proceeds and the Town receiving thirty percent (30%) of the program registration proceeds, said funds are included and available in the 2016 Operating Budget line item A7020.4 Recreation Administration Contractual; and further

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker or receiving a Certificate of Liability Insurance Waiver and the Attorney for the Town; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Town Accountant; Debra Denz, Town Clerk; and Ian Marshall.

8I

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT WITH TAMMY ALLEN AGNELLO FOR YOUTH DANCE AND ADULT DANCE AND FITNESS

WHEREAS, the Department of Parks and Recreation seeks to offer youth dance and adult dance and fitness classes; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Tammy Allen Agnello, to provide youth dance and adult dance and fitness classes receiving seventy percent (70%) of the program registration proceeds and the Town receiving thirty percent (30%) of the program registration proceeds; and

WHEREAS, Tammy Allen Agnello has provided the Town with all the appropriate documents to support the proposed service agreement; 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 Tammy Allen Agnello to provide youth dance and adult dance and fitness classes receiving seventy percent (70%) of the program registration proceeds and the Town receiving thirty percent (30%) of the program registration proceeds, said funds are included and available in the 2016 Operating Budget line item A7020.4 Recreation Administration Contractual; and further

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker or receiving a Certificate of Liability Insurance Waiver and the Attorney for the Town; and further

RESOLVED, that a copy will be forwarded to Michael Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Town Accountant, Debra Denz, Town Clerk; and Tammy Allen Agnello.

8J

RESOLUTION #

AUTHORIZATION FOR SUPERVISOR TO ENTER INTO PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH ASSOCIATES IN EMPLOYEE ASSISTANCE FOR EMPLOYEE ASSISTANCE PROGRAM

WHEREAS, pursuant to New York's Town Law, including Section 64(6) and Section 20(2), the Town Board has the power to approve contracts for Town services, including but not limited to contracts for legal, consulting, accounting, and engineering services prior to the execution of such contracts by the Town Supervisor; and

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

WHEREAS, funding is available from the 2016/2017 Budget line item A1989.400 Special Items Contracted Costs; and

WHEREAS, the Town's current contract with Associates in Employee Assistance is scheduled to expire on October 31, 2016; and

WHEREAS, a Request for Proposals was advertised, and proposals were received on September 30, 2016 as follows:

Supplier	Cost
ESI – Employee Assistance Group	$3,500.00
CNA Associates	$2,496.00
Associates in Employee Assistance	$1,200.00
EAP Workforce Solutions, LLC	$1,716.00

And

WHEREAS, Associates in Employee Assistance has been identified by the Human Resources Department as having appropriate assistance programs and services for the Town of Victor; now, therefore be it

RESOLVED that the Town Board hereby authorizes the Supervisor to enter into a one year contract with Associates in Employee Assistance for the Employee Assistance Program Professional Consulting Services, for a limited term of one year from November 1, 2016 to October 31, 2017 under the terms and conditions as provided in the 2016-2017 contract at an annual fee not to exceed One Thousand Two Hundred dollars ($1200.00) to be funded from the 2016/2017 Budget line item A1989.400 Special Items Contracted Costs; and further be it

RESOLVED that a copy of this Resolution be forwarded to Associates in Employee Assistance, the Finance Department, and the Human Resources Department.

8k

RESOLUTION #

AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 7248 WINCANTON WAY (TAX MAP # 6.02-3-7.000) TO ALLOW A CONSTRUCTION AND ALTERATIONS TO ENCROACH ONTO A TOWN EASEMENT

WHEREAS, Michael R. Smith and Marissa C. Smith are the record owners (the "Owners") of the premises at 7248 Wincanton Way, Tax Map # 6.02-3-7.000, (the "Property") in the Town of Victor; and

WHEREAS, the Town is the owner of an easement on the Property as shown on the easement recorded on January 28, 2009 in the Ontario County Clerk's Office in Book 01221 of Deeds at page 0653 which easement is situated along the western portion of the Property, approximately 10 feet wide on the Property as shown on the Subdivision Map filed in the Ontario County Clerk's Office (the "Easement"); and

WHEREAS, the Owners of the Property desire to construct a pool, an outdoor shower, deck, and fence on the Property, and the proposed outdoor shower and a portion of the proposed deck and fence would encroach on the Town's Easement and would require a change in the existing grading of the Easement in the affected locations (the grading change and the proposed shower, deck, and fence that encroach into the Easement are collectively referred to as the "Alterations"); and

WHEREAS, the Town Board wishes to enter into a revocable License and Hold Harmless Agreement to allow the Alterations to encroach into Town's Easements, said License and Hold Harmless Agreement to be recorded with the Ontario County Clerk's Office; and

WHEREAS, the Agreement would permit the Alterations to be constructed, but would require the Owners to remove, relocate, repair, or otherwise maintain the Alterations and hold the Town harmless should the Town need to exercise its rights relating to the Easement in a manner which would require removal or relocation of the Alterations or would otherwise damage the Alterations; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the License and Hold Harmless Agreement with Michael R. Smith and Marissa C. Smith to allow the proposed Alterations to encroach into the Easement; and further be it

RESOLVED, that a copy of this Resolution be provided to the Town Planning and Building Department, the Town Clerk and the Owners.

8L

RESOLUTION #

AUTHORIZING THE SUPERVISOR TO ENTER INTO A LICENSE AND HOLD HARMLESS AGREEMENT AT 28 STONELEIGH TRAIL (TAX MAP #7.02-1-8.000) TO ALLOW A UNDERGROUND DRAINAGE PIPES TO BE INSTALLED BENEATH TOWN PROPERTY

WHEREAS, Timothy M. McGraw and Patricia T. McGraw are the record owners (the "Owner") of the premises at 28 Stoneleigh Trail, Tax ID #7.02-1-8.000, (the "Premises") in the Town of Victor; and

WHEREAS, the Town is the record owner of adjacent property with Tax ID #7.02-1-37.100 (the "Town's Property"); and

WHEREAS, the Owner of the Premises desire to install underground drainage pipes that extend from the Premises to the Town's Property, as set forth in the plan filed in the Town Clerk's office; and

WHEREAS, the Town Board wishes to enter into a License and Hold Harmless Agreement to allow the proposed underground drainage pipes to encroach onto the Town's Property, said License and Hold Harmless Agreement to be recorded with the Ontario County Clerk's Office; and

WHEREAS, the Agreement would permit the proposed underground drainage pipes to be installed, but would require the Owner to replace, regrade, and reseed any disturbed soil and to maintain, remove, and/or repair the said pipes and indemnify and hold the Town harmless should the Town need to exercise its rights at the Town's Property in a manner which would require removal or relocation of the said pipes or would otherwise damage the said pipes; now, therefore, be it

RESOLVED, that the Supervisor is authorized to execute the License and Hold Harmless Agreement with Timothy M. McGraw and Patricia T. McGraw to allow the proposed underground drainage pipes to be installed beneath the Town's Property in accordance with the filed plan; and further be it

RESOLVED, that a copy of this Resolution be provided to the Town Planning and Building Department, the Town Clerk and the Owner.

8m

RESOLUTION #

AUTHORIZATION FOR SUPERVISOR TO ENTER INTO AGREEMENT WITH ONTARIO COUNTY TO EXTEND INDEXED LUMP SUM MUNICIPAL SNOW AND ICE AGREEMENT FOR 2016/2017

WHEREAS, Ontario County desires to obtain snow and ice control services from the Town of Victor in an Agreement for County Road 9, County Road 42, and a portion of County Road 41 from Mertensia Road to the Monroe County line; and

WHEREAS, the current agreement is set to expire on September 30, 2016; and

WHEREAS, this Agreement is consistent with the Agreement by Ontario County Department of Public Works, Bureau of Highways, and the Town of Victor in the past; and

WHEREAS, the Town of Victor is willing to provide said service, and the Highway Superintendent approves of this Agreement; now, therefore, be it

RESOLVED, that the Supervisor for the Town of Victor is authorized to enter into Agreement for the Indexed Lump Sum Municipal Snow and Ice Agreement with the County of Ontario to provide snow and ice control services by the Town of Victor on County Road 9, County Road 42, and the portion of County Road 41 from Mertensia Road to the Monroe County line, said Agreement to expire September 30, 2017; and, further

RESOLVED, that a copy of this resolution be forwarded to the Highway Superintendent and the Ontario County Department of Public Works.

8N

RESOLUTION #

AUTHORIZATION FOR SUPERVISOR TO SOLICIT PROPOSALS FOR TOWN PROFESSIONAL SERVICES FOR ACCOUNTING SERVICES AND A SEPARATE AUDITING FIRM

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

WHEREAS, the Town requires the assistance of a professional accounting firm to provide support, as needed, to the Town's new Finance Director; and

WHEREAS, the Town also requires a separate professional auditing firm to conduct town-wide audits for the 2016 Fiscal Year for all Town operations; now, therefore be it

RESOLVED that the Town Board hereby authorizes the Supervisor to solicit proposals for both a professional accounting services firm and a professional auditing firm, requiring that both services cannot be performed by the same firm; and be it further

RESOLVED that a copy of this Resolution be forwarded to Human Resources, Town Clerk, and the Finance Dept.

80

RESOLUTION #

AUTHORIZATION FOR THE TRANSFER OF FUNDS FROM THE WATER OPERATING FUND TO THE A.5031.000 INTERFUND TRANSFERS FUND

WHEREAS, the Town Board has determined that it has a need to increase the amount of funds available for appropriation in the Interfund Transfers fund in order to adequately provide funding and budgeting for existing and future town-wide needs; and

WHEREAS, sufficient funds are available in the Water Operating Fund, Account F. 0899.000 and such funds have been historically been used by the Town for general Town-wide needs; now, therefore be it

RESOLVED that the Town Accountant is authorized to transfer Five Hundred Thousand dollars ($500,000.00) from the Water Operating Fund, Account F.0899.000, to the Interfund Transfers Fund, Account A.5031.000; and further be it

RESOLVED that a copy of this Resolution be provided to Town Clerk Debra Denz and Town Accountant Barbara Cole.

8P

RESOLUTION #

BOND RESOLUTION DATED OCTOBER 11, 2016 OF THE TOWN BOARD OF THE TOWN OF VICTOR, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF EQUIPMENT, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.

BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF VICTOR, NEW YORK (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Victor shall undertake the acquisition of equipment as more specifically described in Section 3 hereof.

Section 2. The Town of Victor is hereby authorized to expend up to Three Hundred Ninety Thousand dollars ($390,000.00) for such acquisition, and the Town is authorized to issue its General Obligation Serial Bonds in an aggregate principal amount up to Three Hundred Ninety Thousand dollars ($390,000.00) pursuant to the Local Finance Law of the State of New York, in order to finance the class of objects or purposes described herein.

Section 3. The class of objects or purposes to be financed pursuant to this resolution (hereinafter described as "purpose") is the acquisition of various equipment, vehicles and apparatus.

Section 4. It is hereby stated that (a) the estimated maximum aggregate cost of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be Three Hundred Ninety Thousand dollars ($390,000.00), which amount is hereby appropriated therefor, (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the plan for financing of said purpose is to provide all of such maximum cost by issuance of debt obligations as herein authorized.

Section 5. It is hereby determined and declared that said purpose is one of the class of objects or purposes described in Subdivisions 28, 32 and 89 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to five (5) years.

Section 6. The Town of Victor is hereby authorized to issue its Bond Anticipation Notes in an aggregate principal amount not to exceed Three Hundred Ninety Thousand dollars ($390,000.00), pursuant to the Local Finance Law of New York, in order to finance the purpose in anticipation of the issuance of the above described Bonds.

Section 7. It is hereby stated that (a) there are presently no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Bonds, (b) the Bond Anticipation Notes authorized by this resolution shall mature within one (1) year from the date or their issuance or such later date as may be desired in accordance with the Local Finance Law, (c) such Bond Anticipation Notes are not issued in anticipation of Bonds for an assessable improvement, (d) the proposed maturity of the obligations authorized by this resolution will not

be in excess of five years to be measured from the date of the Bonds or from the date of the first Bond Anticipation Note issued in anticipation of the sale of the Bonds, whichever date is the earlier, and (e) prior to the issuance of the Bond Anticipation Notes or Bonds herein authorized there will be provided the appropriate amount of current funds required by Section 107.00 of the Local Finance Law, if any.

Section 8. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any.

Section 9. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 10. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by Section 58.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer. The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Victor.

Section 11. The faith and credit of the Town of Victor, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 12. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Victor together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 13. This resolution shall take effect immediately upon its adoption.

8Q

RESOLUTION #

AUTHORIZATION FOR THE TOWN OF VICTOR TO ENTER INTO A PURCHASE OFFER FOR A PERMANENT EASEMENT OVER A PORTION OF REAL PROPERTY LOCATED AT 657 OLD DUTCH ROAD

WHEREAS, the Town of Victor is currently engaged in a road infrastructure improvement project (a/k/a the Old Dutch Road Improvements or the "Project") in the vicinity of Main Street Fishers and Old Dutch Road; and

WHEREAS, the Town has determined that it is in the best public interest to purchase a permanent easement over a portion of certain real property in furtherance of the Project, for the purpose of widening the roadway and to allow for storm drainage infrastructure improvements along Main Street Fishers and Old Dutch Road; and

WHEREAS, said real property is located at 657 Old Dutch Road, identified by Tax Map #5.00-1-67.111, and owned by Jonathan Friedlander (the "Owner"), and the permanent easement to be acquired (the "Easement") is an irregularly shaped parcel, approximately 741 square feet, at the western portion of the parcel, as identified in Exhibit "A" which is kept in the subject file in the Town Clerk's office; and

WHEREAS, the Victor Town Board has previously authorized an appraisal of the Easement, which valued said Easement at Two Hundred Thirty Dollars ($230.00); and

WHEREAS, the Owner has agreed to sell the Easement to the Town for the amount of Two Hundred and Thirty Dollars ($230.00) (the "Proposed Purchase Price"); and

WHEREAS, funding for the purchase is available from DB.5110.400.R2S General Repairs Contractual Old Dutch Rd. Proj R2 Street Reserve And DB.5110.440.R2S General Repairs Engineering Old Dutch Rd. Proj R2 Street Reserve; and

WHEREAS, the proposed purchase is subject to a full and complete environmental review pursuant to SEQR; and

WHEREAS, the proposed purchase has been classified as an unlisted action pursuant to SEQR; now therefore, be it

RESOLVED, that the Town has reviewed the potential environmental impacts of the proposed purchase and related actions pursuant to SEQR, has duly assumed Lead Agency status in relation thereto, that there are no other involved agencies, and has determined that said proposed purchase and related actions will have no significant adverse environment impacts and thus approves Parts 2 and 3 of the SEQR EAF and approves a negative declaration; and be it further

RESOLVED, that the Town Board finds that the Easement is necessary for the completion of the Project and is therefore in the best public interest; and be it further

RESOLVED, that the Proposed Purchase Price for the Easement is reasonable in light of the appraised value; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to pay the Proposed Purchase Price in the amount of Two Hundred Thirty Dollars ($230.00) to the Owner in

exchange for the Easement, on forms approved by the Attorney for the Town, said funds are available from DB.5110.400.R2S General Repairs Contractual Old Dutch Rd. Proj R2 Street Reserve And DB.5110.440.R2S General Repairs Engineering Old Dutch Rd. Proj R2 Street Reserve; and be it further

RESOLVED, that the Supervisor or his designee is hereby authorized, empowered and directed to execute and deliver such documents and take all such action on behalf of the Town as may be deemed necessary, appropriate or advisable to carry out the intent or purposes of the this Resolution; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Town Clerk, the Town Highway Superintendent, the Attorney for the Town, and the Owner.

8R

RESOLUTION #

AUTHORIZING THE TOWN OF VICTOR TO ENTER INTO A PURCHASE OFFER FOR A PORTION OF REAL PROPERTY AND TEMPORARY EASEMENTS OVER REAL PROPERTY LOCATED AT 660 OLD DUTCH ROAD

WHEREAS, the Town of Victor is currently engaged in a road infrastructure improvement project (a/k/a the Old Dutch Road Improvements or the "Project") in the vicinity of Main Street Fishers and Old Dutch Road; and

WHEREAS, the Town has determined that it is in the best public interest to purchase a portion of certain real property and to obtain temporary easements over the same property in furtherance of the Project, for the purpose of widening the roadway and to allow for storm drainage infrastructure improvements along Main Street Fishers and Old Dutch Road; and

WHEREAS, said real property is located at 660 Old Dutch Road, and identified by Tax Map No. 5.00-1-67.231 and owned Chauncy C. Young (the "Owner"), and the portion of the real property to be acquired (the "Acquired Property") is approximately 2,043 square feet at the northern portion of the parcel, and the temporary easements are approximately 2,732 square feet at the northern portion of the parcel, and 1,806 square feet at the eastern portion of the parcel, respectively, (collectively as the "Easements"), and all as identified in Exhibit "A" kept on file in the subject file in the Town Clerk's office; and

WHEREAS, the Victor Town Board has previously authorized an appraisal of the Acquired Property and Easements, which valued said Acquired Property at One Thousand One Hundred and Forty dollars ($1,140.00), with site improvements namely, mature trees, valued at Three Thousand Two Hundred and Fifty dollars ($3,250.00); and

WHEREAS, in waiver of the appraised value, the Owner has agreed to sell the Acquired Property to the Town and to offer the Temporary Easement in consideration of the Town's agreement to remove and replace said mature trees if they die or show material deterioration within five (5) years of the Town's excavation and the creation of a gabion wall at the site; (the "Consideration"); and

WHEREAS, the proposed Consideration is subject to a full and complete environmental review pursuant to SEQR; and

WHEREAS, the proposed Consideration has been classified as an unlisted action pursuant to SEQR; now therefore, be it

RESOLVED, that the Town has reviewed the potential environmental impacts of the proposed purchase and related actions pursuant to SEQR, has duly assumed Lead Agency status in relation thereto, that there are no other involved agencies, and has determined that said proposed Consideration and related actions will have no significant adverse environment impacts and thus approves Parts 2 and 3 of the SEQR EAF and approves a negative declaration; and be it further

RESOLVED, that the Town Board finds that the Acquired Property is necessary for the completion of the Project and is therefore in the best public interest; and be it further

RESOLVED, that the Proposed Purchase Price for the Acquired Property is reasonable in light of the appraised value; and be it further

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into an agreement with Owner and execute any related documents to effect and carry out the Town's obligations pursuant to the proposed Consideration, in exchange for a duly executed deed to the Acquired Property, on forms approved by the Attorney for the Town; and be it further

RESOLVED, that the Supervisor or his designee is hereby authorized, empowered and directed to execute and deliver such documents and take all such action on behalf of the Town as may be deemed necessary, appropriate or advisable to carry out the intent or purposes of the this Resolution; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Town Clerk, the Town Highway Superintendent, the Attorney for the Town, and the Owner.

8S

RESOLUTION #

APPROVAL AND ENACTMENT OF MODOCK SPRINGS VALUE PROTECTION PLAN ESCROW AGREEMENT

WHEREAS, the Victor Town Board adopted Resolution #259 – Modock Springs Value Protection Plan on July 14, 2008; Resolution #377 – Designation for Eligibility for Funding in the Modock Springs Value Protection Plan on November 10, 2008; Resolution #231 – Approve Revision to the Value Protection Plan Related to the Modock Springs Area on June 27, 2011; and Resolution #233, Approve Payments and Other Actions By Town of Victor Per Modock Springs Value Protection Plan on July 15, 2013; and

WHEREAS, per Resolution #233-13 an Escrow Agreement was drafted in conjunction with the Modock Springs Value Protection Plan between the Town of Victor, Syracusa Sand and Gravel, Inc. and Canandaigua National Bank to provide compensation for property value diminution in amounts determined pursuant to the Value Protection Plan procedures; and

WHEREAS, Canandaigua National Bank Escrow Agreement Account #1106505475, labeled as "Schedule A" and kept in the subject file in the Town Clerk's Office was established; now, therefore be it

RESOLVED that the Canandaigua National Bank Escrow Agreement Account #1106505475 "Escrow Account In Favor Of the Town of Victor, New York For The Property Value Protection Plan" be enacted; and be it further

RESOLVED that the funds to be paid out to the Qualified Residents in compensation for property value diminution in amounts determined pursuant to the Property Value Protection Plan shall come from the established Canandaigua National Bank Escrow Agreement Account #1106505475; and be it further

RESOLVED that a copy of this resolution be sent to the Finance Department, Town Clerk, Syracusa Sand & Gravel, Inc., and Canandaigua National Bank and Trust.

8T

RESOLUTION #

ORDER FOR PUBLIC HEARING TO ESTABLISH THE "EAST VICTOR ROAD PROPERTY SEWER DISTRICT" AND CONSOLIDATE IT INTO THE VICTOR CONSOLIDATED SEWER DISTRICT (SOUTHGATE HILLS)

WHEREAS, the Town Board of the Town of Victor ("the Town") has received a Map, Plan and Report (the "MPR") requesting an extension to the Town of Victor Consolidated Sewer District (the "Sewer District") into 13.7+/- acres of lands located on the west side of East Victor Road, south of Fieldcrest Lane (Southgate Hills), more specifically depicted on a map a part of the MPR, the metes and bounds description of which is set forth in the MPR referred to herein and available for public inspection at the Victor Town Clerk's Office (the proposed extension to the Sewer District is hereinafter referred to as the "East Victor Road Property Sewer District"); and

WHEREAS, given the nature of the MPR and the policy and practice of the Town of Victor with respect to sewer districts, the MPR will be treated as and has been converted to one for the establishment and consolidation of the East Victor Road Property Sewer District into the Victor Consolidated Sewer District; and

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

WHEREAS, the boundaries of the East Victor Road Property Sewer District comprise approximately 13.7+/- acres of lands located on the west side of East Victor Road, south of Fieldcrest Lane, more specifically depicted on a map a part of the MPR, the metes and bounds description of which is set forth in the MPR referred to herein and available for public inspection at the Victor Town Clerk's Office; and

WHEREAS, the proposed improvements include: infrastructure, including an 8 inch lateral as well as 15 manholes; and

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

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

WHEREAS, simultaneous with the establishment of the East Victor Road Property Sewer District, it shall be consolidated into the Victor Consolidated Sewer District as more fully described in the "Proposed Joint Consolidation Agreement for the Town of Victor Consolidated Sewer District and the East Victor Road Property Sewer District," (the "Agreement") adopted by the Victor Town Board on September 12, 2016; and

WHEREAS, a descriptive summary of the Agreement follows:

> The current Town of Victor Consolidated Sewer District and the East Victor Road Property Sewer District (as proposed and described in the MPR referred to herein) will be consolidated so that the area and infrastructure of the East Victor Road Property

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

And, WHEREAS, after establishment and consolidation into the Victor Consolidated Sewer District, the capital cost to the typical residential property will be approximately Seventy Eight dollars and Twenty Four cents ($78.24), annually, and the capital cost to the typical commercial property will be approximately Three Hundred Seventy Six dollars and Thirty cents ($376.30), annually, and the capital cost to those properties added into the Town of Victor Consolidated Sewer District by operation of this action (i.e., those properties within the area formerly referred to as the East Victor Road Property 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 this action will not significantly change the costs for residential or commercial properties; and

WHEREAS, maintenance and operation charges will be calculated as more specifically set forth in the Victor Town Code at Chapter 162; and

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

WHEREAS, the MPR describing the East Victor Road Property Sewer District, and the Agreement, are both on file in the office of the Town Clerk where they are available for public inspection; now, therefore be it

ORDERED and RESOLVED, that, pursuant to Article 12 of the Town Law, the Town Board of the Town of Victor, shall meet at the Town Hall, 85 East Main Street, Victor, New York, on the 24th day of October, 2016, at 7:30 p.m. for the purpose of conducting a public hearing on the proposal to create the East Victor Road Property Sewer District as well as the simultaneous consolidation of the East Victor Road Property Sewer District into the Town of Victor Consolidated Sewer District, at which time and place all persons interested in the subjects thereof may be heard; and be it further

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

8U

RESOLUTION #
SET PUBLIC HEARING DATE - 2017 BUDGET

RESOLVED, that a Public Hearing date of Monday, October 24, 2016 at 7:30 PM be scheduled for the purpose of hearing public comment, both oral and written, on the proposed 2017 budget; and further

RESOLVED, that said Public Hearing shall be held at the Victor Town Hall, Main Meeting Room, 85 East Main St., Victor, New York; and further

RESOLVED, that the Town Clerk is hereby directed to advertise for said Public Hearing in a manner consistent with law; and further

RESOLVED, that a copy of this resolution be forwarded to the Finance Department, Town Clerk and Wayne Pickering, Assessor.

8V

RESOLUTION #

ADOPTION OF THE 2016 SPECIAL ASSESSMENT ROLL TO COLLECT SEWER DISTRICT CAPITAL RECOVERY CHARGE, SEWER DISTRICT CAPITAL IMPROVEMENT COSTS, LIGHTING DISTRICT O&M COSTS AND CENTRAL WATER DISTRICT CAPITAL IMPROVEMENT COSTS BASED ON BENEFIT FORMULAS

WHEREAS, the Town Board directed the Town Assessor to prepare the 2016 Special Assessment Roll; and

WHEREAS, pursuant to Town Law §239 the Town Clerk caused a notice of Public Hearing regarding the 2016 Special Assessment Roll to be timely noticed and published; and

WHEREAS, pursuant to Real Property Tax Law §102(15) the Town Clerk notified individual property owners of the proposed charges for their property located in the respective Special Districts of the Public Hearing; and

WHEREAS, a public hearing was held on October 11, 2016; and

WHEREAS, the Town Board has received and reviewed all public comments and objections and has carefully evaluated each objection on a case-by-case basis; now, therefore, be it

RESOLVED, the Town Board affirms and adopts the 2016 Special Assessment Roll dated September 13, 2016; and it is further

RESOLVED, that a copy of this resolution be forwarded to Debra Denz, Town Clerk; Wayne Pickering, Town Assessor; and Robin Johnson, Director Real Property Tax Services.

8w

RESOLUTION

APPROVAL OF ADDITION OF A LIGHT POLE TO THE COBBLESTONE CREEK STREET LIGHTING DISTRICT

WHEREAS, on or about December 26, 1989, the Victor Town Board approved the establishment of the Cobblestone Creek Street Lighting District (the "Lighting District"); and

WHEREAS, since the establishment of said Lighting District, various lighting fixtures and equipment has been installed to serve the residential subdivision which is within said Lighting District known as Cobblestone Creek Subdivision; and

WHEREAS, the Town Board finds that an additional light pole and fixture is needed opposite 85 Barchan Dune Rise (Lot 613) and the existing lights at the intersection of the street with Highland Green on Barchan Dune Rise in the Cobblestone Creek Subdivision; and

WHEREAS, said light pole and fixture will be consistent with other lighting in the Lighting District and will comprise the following: one high pressure sodium light fixture, 250 watts, on an 18 foot Colonial style fiberglass pole (the "Light Pole"); and

WHEREAS, pursuant to Town Law Section 202-b, the Town may add additional facilities to an existing lighting district upon an estimate of the cost thereof and after a public hearing held thereon; and

WHEREAS, given that the proposed Light Pole qualifies as a "service class 1," Rochester Gas and Electric will construct and operate the proposed additional Light Pole at no capital cost to the Town of Victor and/or the Lighting District; and

WHEREAS, therefore, the only additional costs to the Lighting District will be, approximately, as follows: a monthly electricity delivery fee in the approximate amount of Twenty-Three dollars and Fifty cents ($23.50); and a monthly electricity supply fee in the approximate amount of Seventeen dollars and Twenty Six cents ($17.26) (said supply fee will vary based upon the electricity rate and amount of time the light is on); and

WHEREAS, said monthly fee approximating Forty dollars and Seventy Six cents ($40.76) will be charged to the Lighting District and will, in turn, be assessed among the properties which are part thereof in accordance with the assessment formula established therefore; and

WHEREAS, because the Town of Victor will not be paying for, constructing or owning the Light Pole, there is no additional need for the Town to create plans and specifications or an estimate of the cost of the Light Pole; and

WHEREAS, on October 11, 2016, the Town Board held a duly advertised public hearing on the addition of Light Pole and all persons in attendance were permitted to speak; now, therefore, be it

RESOLVED, that the Victor Town Board finds that it is in the public interest have Rochester, Gas and Electric construct the Light Pole within the Lighting District, all as set forth herein; and be it further

RESOLVED, that the Victor Town Board hereby authorizes the Town to enter into an agreement with Rochester Gas and Electric relating to the installation of the Light Pole, so long as said contract is consistent with this Resolution; and, be it further

RESOLVED, that this Resolution shall be subject to permissive referendum; and further

RESOLVED, that copies of this resolution be forwarded to Wayne Pickering, Assessor; Debra Denz, Town Clerk; Barb Cole, Town Accountant.

8X

RESOLUTION #

AFTER PUBLIC HEARING – ADOPT LOCAL LAW NO. -2016 TO OVERRIDE THE TAX LEVY LIMIT FOR 2017 – TOWN OF VICTOR

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Victor on the 26th day of September, 2016, calling for a Public Hearing to be held by the Victor Town Board on the 11th day of October, 2016, at the Victor Town Hall, 85 East Main Street, Victor, New York, at 7:30 PM, to hear all interested parties on a proposed local law to "Override The Tax Levy Limit For 2017 – Town of Victor"; and

WHEREAS, notice of said Public Hearing was duly advertised in accordance with law; and

WHEREAS, said Public Hearing was duly held at the Victor Town Hall on the 11th day of October, 2016, at 7:30 PM, and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed local law, or any parts thereof; and

WHEREAS, the Town Board of the Town of Victor, after due deliberation, finds it in the best interest of the Town to adopt said local law; now, therefore be it

RESOLVED, by the Town Board of the Town of Victor that the Town Board hereby adopts said "Local Law No. ___-2016 to Override the Tax Levy Limit For 2017 – Town of Victor", as follows:

LOCAL LAW NO. -2016 TO OVERRIDE THE TAX LEVY LIMIT FOR 2017 – TOWN OF VICTOR

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 in accordance with New York General Municipal Law at Section 3-c.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. ___-2016 of the Town of Victor. The purpose of this local law is to override the NY Tax Levy Limit, pursuant to NY General Municipal Law Section 3-c.

Section III. Legislative Findings

The Victor Town Board finds and hereby determines that the Town has continued to experience rapid growth. In connection with such growth, along with development in technology, increases in health care costs, etc., the Town is facing increased costs including, but not limited to, costs related to sewer and water infrastructure, highway costs, employee payroll and benefits costs, technology costs, etc. In part because of the Town's historically low tax rate, the Town's ability to increase revenues via taxation to cover increased costs is severely limited due to the NYS Tax Levy Limit (which limits increase in taxation to a percentage of historic taxes). Therefore, in order to maintain the high level of services and the high standard of living the Town of Victor, it may be necessary to increase taxation beyond the level otherwise permitted by the NYS Tax Cap at NY General Municipal Law Section 3-c.

Section IV. Amendment

The Town Board of the Town of Victor, County of Ontario, is hereby authorized to adopt a budget for the fiscal year of 2017 which requires a real property tax levy increase in excess of the limit set by NY General Municipal Law Section 3-c.

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.

And be it further, RESOLVED, that the Town Clerk of the Town of Victor be and hereby is directed to enter said Local Law into the minutes of this meeting and to give due notice of the adoption of said Local Law to the Secretary of State of the State of New York.