

**VICTOR TOWN BOARD MEETING  
MONDAY, OCTOBER 24, 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 TO ESTABLISH THE "EAST VICTOR ROAD PROPERTY SEWER DISTRICT" AND CONSOLIDATE IT INTO THE VICTOR CONSOLIDATED SEWER DISTRICT
- B. PUBLIC HEARING DATE - 2017 BUDGET

**8) BUSINESS**

- A. REQUEST WAIVER OF CERTIFICATE OF INSURANCE REQUIREMENT - MEETING ROOM USE FOR VICTOR BLUEBELLES & BEAUS GARDEN CLUB (Debra Denz)
- B. AUTHORIZATION TO ENTER INTO AGREEMENT WITH BILL KERR FOR YOUTH BASKETBALL LEAGUE OFFICIATING (Brian Emelson)
- C. AUTHORIZATION TO ENTER INTO AGREEMENT WITH DREW COVIELLO FOR YOUTH BASKETBALL LEAGUE OFFICIATING (Brian Emelson)
- D. AUTHORIZATION TO ENTER INTO AGREEMENT WITH JAY GOLD FOR YOUTH BASKETBALL LEAGUE OFFICIATING (Brian Emelson)
- E. AUTHORIZATION TO ENTER INTO AGREEMENT WITH RAY O'NEILL FOR YOUTH BASKETBALL LEAGUE OFFICIATING (Brian Emelson)
- F. AUTHORIZATION FOR REIMBURSEMENT PAYMENT TO THE TOWN OF FARMINGTON FOR REPAIRS TO THE VICTOR SEWER DISTRICT'S PS-28 LIFT STATION (Jack Marren)
- G. AUTHORIZATION AFTER PUBLIC HEARING FOR THE ESTABLISHMENT OF THE EAST VICTOR ROAD PROPERTY SEWER DISTRICT AND CONSOLIDATION OF THE SAME INTO THE VICTOR CONSOLIDATED SEWER DISTRICT (SOUTHGATE HILLS) (Jack Marren)

PAA

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.

Dated: October 12, 2016

Debra J. Denz, Town Clerk

PAB

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF VICTOR  
2017 BUDGET

Notice is hereby given that the Preliminary Budget of the Town of Victor for the fiscal year of 2017 has been completed and filed in the office of the Town Clerk at 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 budget at the Victor Town Hall, 85 East Main Street, Victor, New York at 7:30 P.M. on Monday, October 24, 2016. At such time, all citizens wishing to make comments, written or oral, on said proposed Preliminary Budget are asked to come forward.

At the same Public Hearing, comments for or against the entering into a contract with the Village of Victor to provide fire protection for the Town residents within the Victor Fire Protection District shall be heard. The proposed cost of such fire protection for the 2017 year is \$511,299.00.

The following is a summary of the entire Preliminary Budget for 2017:

Total Appropriations	\$13,075,469.00
Less Estimated Revenues	\$7,863,760.00
Less Unexpended Balances	\$1,075,550.00
Amount to be Raised by Taxes	\$2,805,549.00

Further, notice is given pursuant to Section 113 of the Town Law that the following are the proposed yearly salaries of the Town Officers of the Town of Victor:

Supervisor	\$85,957.85
Town Clerk	\$58,743.49
Council Members each, (4)	\$10,506.66
Highway Superintendent	\$77,617.57
Justices each (2)	\$40,180.54

This by order of the Victor Town Board.

Dated: October 12, 2016

Debra J. Denz, Town Clerk

8A

RESOLUTION #

REQUEST WAIVER OF CERTIFICATE OF INSURANCE REQUIREMENT - MEETING ROOM  
USE FOR VICTOR BLUEBELLES & BEAUS GARDEN CLUB

WHEREAS, Victor Bluebelles and Beaus Garden Club is a non-profit, community group who wishes to use the meeting rooms in the Victor Town Hall; and

WHEREAS, the Victor Town Board adopted Resolution #177 on May 24, 2010 setting the Town of Victor Meeting Room Use Policy which requires groups wishing to use the Town meeting room facilities to either present a Certificate of Insurance or to submit a letter requesting a waiver of the Certificate of Insurance if none is available to the organization; and

WHEREAS, Victor Bluebelles and Beaus Garden Club has submitted a letter requesting the use of the Town meeting rooms with request for a Waiver of Certificate of Insurance; now, therefore, be it

RESOLVED that the Victor Bluebelles and Beaus Garden Club's request to use the Town meeting room facilities be granted; and further

RESOLVED that the requirement for the Certificate of Insurance for the Victor Bluebelles and Beaus Garden Club be waived; and be it further

RESOLVED that a copy of this resolution be sent to Victor Bluebelles and Beaus Garden Club and the Town Clerk.

8B

RESOLUTION #  
AUTHORIZATION TO ENTER INTO AGREEMENT WITH BILL KERR FOR YOUTH  
BASKETBALL LEAGUE OFFICIATING

WHEREAS, the Department of Parks and Recreation seeks to offer youth basketball leagues;  
and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into  
agreement with Bill Kerr to provide youth basketball officiating at a cost not to exceed Twenty  
Seven dollars (\$27.00) per contest; and

WHEREAS, Bill Kerr 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 Bill Kerr to provide youth basketball officiating at a  
cost not to exceed Twenty Seven dollars (\$27.00) per contest, 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 Christine Winter, Recreation  
Supervisor; Brian Emelson, Director of Parks and Recreation; Barb Cole, Senior Town  
Accountant; Debra Denz, Town Clerk; and Bill Kerr, USSSA Basketball Official.

80

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT WITH DREW COVIELLO FOR YOUTH BASKETBALL LEAGUE OFFICIATING

WHEREAS, the Department of Parks and Recreation seeks to offer youth basketball leagues; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Drew Coviello to provide youth basketball officiating at a cost not to exceed Twenty Seven dollars (\$27.00) per contest; and

WHEREAS, Drew Coviello 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 Drew Coviello to provide youth basketball officiating at a cost not to exceed Twenty Seven dollars (\$27.00) per contest, 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 Christine Winter, Recreation Supervisor; Brian Emelson, Director of Parks & Recreation; Barb Cole, Senior Town Accountant, Debra Denz, Town Clerk; and Drew Coviello, USSSA Basketball Official.

8D

RESOLUTION #  
AUTHORIZATION TO ENTER INTO AGREEMENT WITH JAY GOLD FOR YOUTH  
BASKETBALL LEAGUE OFFICIATING

WHEREAS, the Department of Parks and Recreation seeks to offer youth basketball leagues;  
and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into  
agreement with Jay Gold to provide youth basketball officiating at a cost not to exceed Twenty  
Seven dollars (\$27.00) per contest; and

WHEREAS, Jay Gold 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 Jay Gold to provide youth basketball officiating at a  
cost not to exceed Twenty Seven dollars (\$27.00) per contest, 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 Christine Winter, Recreation  
Supervisor; Brian Emelson, Director of Parks & Recreation; Barb Cole, Senior Town  
Accountant, Debra Denz, Town Clerk; and Jay Gold, USSSA Basketball Official.

8E

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT WITH RAY O'NEILL FOR YOUTH BASKETBALL LEAGUE OFFICIATING

WHEREAS, the Department of Parks and Recreation seeks to offer youth basketball leagues; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Ray O'Neill to provide youth basketball officiating at a cost not to exceed Twenty Seven dollars (\$27.00) per contest; and

WHEREAS, Ray O'Neill 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 Ray O'Neill to provide youth basketball officiating at a cost not to exceed Twenty Seven dollars (\$27.00) per contest, 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 Christine Winter, Recreation Supervisor; Brian Emelson, Director of Parks & Recreation; Barb Cole, Senior Town Accountant, Debra Denz, Town Clerk; and Ray O'Neill, USSSA Basketball Official.

8F

RESOLUTION #

AUTHORIZATION FOR REIMBURSEMENT PAYMENT TO THE TOWN OF FARMINGTON  
FOR REPAIRS TO THE VICTOR SEWER DISTRICT'S PS-28 LIFT STATION

WHEREAS, the Victor Sewer District identified the need to address odor complaints for the PS-28 Pump Station, located at 7461 NYS Route 96 in Fishers, NY; and

WHEREAS, Evoqua Water Technologies is a single-source supplier for the feed system and chemicals required for odor control; and

WHEREAS, in accordance with the New York State Department of Environmental Conservation (NYDEC) Rule 6 NYCRR Part 597 for Bulk Storage of Chemicals, the life expectancy of polyethylene single wall chemical bulk storage tanks is ten (10) years, and the 2,000 gallon polyethylene bioxide tank currently in service at PS-28 for odor control now exceeds 13 years old and requires replacement; and

WHEREAS, Evoqua Water Technologies has submitted a proposal to replace the bioxide feed and storage system for PS-28 at a cost not to exceed Twenty Eight Thousand Thirty Three dollars (\$28,033.00); and

WHEREAS, in accordance with the Intermunicipal Agreement with the Town of Farmington regarding the Victor Sewer District, any costs over Ten Thousand dollars (\$10,000.00) will be reimbursed to the Town of Farmington by the Victor Consolidated Sewer District; and

WHEREAS, the Town of Victor will reimburse the Town of Farmington Eighteen Thousand Thirty Three dollars (\$18,033.00) for the Victor Sewer District's portion of the Evoqua Water Technologies invoice; now, therefore be it

RESOLVED, that the Victor Town Board authorizes the payment of the Town's portion of Eighteen Thousand Thirty Three dollars (\$18,033.00) to be paid to the Town of Farmington by the Town of Victor, to be charged to the 2016 Town Budget Line Item # SS.8120.400 Sanitary Sewers Contractual; and be it further

RESOLVED, that a copy of this resolution be sent to the Finance Office, the Farmington Town Clerk, Victor Town Clerk and David DeGear, Town of Farmington Water and Sewer.

86

RESOLUTION #

AUTHORIZATION AFTER PUBLIC HEARING FOR THE ESTABLISHMENT OF THE EAST VICTOR ROAD PROPERTY SEWER DISTRICT AND CONSOLIDATION OF THE SAME INTO THE VICTOR CONSOLIDATED SEWER DISTRICT (SOUTHGATE HILLS)

WHEREAS, the Victor Town Board ("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, after the said MPR was duly filed in the Office of the Town Clerk of the Town of Victor (where it was then and is currently available for public inspection), the Town Board did duly adopt an Order and Resolution (the "Order") reciting the proposed establishment of the East Victor Road Property Sewer District and a description of the boundaries of the proposed East Victor Road Property Sewer District, the maximum amount proposed to be expended for the improvement, that amount being zero dollars (\$0.00), the proposed method of apportioning the cost of such improvement, and the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection, and specifying that the Town Board shall meet at the Town Hall, 85 East Main Street, Victor, New York, on the 24<sup>th</sup> day of October, 2016, for the purposes of conducting a public hearing on the East Victor Road Property Sewer District establishment and consolidation, and to hear all persons interested in the subject thereof concerning the same; and

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

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

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

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

RESOLVED, that all property and property owners within the proposed East Victor Road Property Sewer District are benefitted; and be it further

RESOLVED, that all property and property owners benefitted by the East Victor Road Property Sewer District are included within the limits thereof; and be it further

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

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

RESOLVED, that the capital costs charged to the properties within the Victor Consolidated Sewer District, as consolidated with the 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 be it further

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

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

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

RESOLVED, that this constitutes a Type II action under the State Environmental Quality Review Act and is thus not subject to review under the same; and be it further

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

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

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

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