

**VICTOR TOWN BOARD MEETING  
MONDAY, MARCH 26, 2018  
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 – LOCAL LAW NO. \_\_\_\_-2018 TO AMEND CHAPTER 27 FEES SECTION 27-8 FEES ENUMERATED

**7) BUSINESS**

- A. REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS (Brian Emelson)
- B. AUTHORIZATION TO ENTER INTO AGREEMENT - DAVE TIBERIO FOR SUMMER IN THE SQUARE CONCERT (Brian Emelson)
- C. AUTHORIZATION TO ENTER INTO AGREEMENT - PHIL HILDEN FOR PHOTOGRAPHY INSTRUCTION (Brian Emelson)
- D. AUTHORIZATION TO ENTER INTO AGREEMENT - MEAT THE PRESS LLC FOOD TRUCK AT SUMMER CONCERTS (Brian Emelson)
- E. AUTHORIZATION TO ENTER INTO AGREEMENT - TOM WAHL’S INC. FOOD TRUCK AT SUMMER CONCERTS (Brian Emelson)
- F. AUTHORIZATION TO ENTER INTO AGREEMENT - TRUGREEN COMMERCIAL FOR ATHLETIC FIELD MAINTENANCE PROGRAM (Brian Emelson)
- G. AUTHORIZATION TO ENTER INTO AGREEMENT - O’BRIEN’S SEPTIC AND PORTABLE TOILETS FOR PORTABLE TOILET RENTALS - DEPARTMENT OF PARKS AND RECREATION (Brian Emelson)
- H. AUTHORIZATION FOR THE PURCHASE OF A 2018 FORD FUSION S FWD FROM THE NYS OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE MINI-BID #18030036 (Kim Kinsella)
- I. ORDER FOR PUBLIC HEARING TO ESTABLISH THE ANTON VALLEY DRAINAGE IMPROVEMENT AREA (Jack Marren)
- J. AFTER PUBLIC HEARING – ADOPT LOCAL LAW NO. \_\_\_\_ - 2018 TO AMEND THE TOWN CODE AT CHAPTER 27 FEES, SECTION 27-8 FEES ENUMERATED RELATING TO THE TRANSFER STATION (Jack Marren)

# 7A

## RESOLUTION # REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS

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 which is in accordance with the Town's insurance requirements 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:

<u>Vendor</u>	<u>Event</u>	<u>Location of Event</u>	<u>Amount of Contract</u>	<u>Duration of Contract</u>	<u>Reason for Exemption</u>
Dave Tiberio	Summer in the Square	Mead Square Park	\$1,500.00	July 30, 2018	Insufficient Coverage
Phil Hilden	Photography Classes	Victor Recreation Center	60% / 40%	December 31, 2018	Insufficient Coverage

Now, therefore be it

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

<u>Vendor</u>	<u>Event</u>	<u>Location of Event</u>	<u>Amount of Contract</u>	<u>Duration of Contract</u>	<u>Reason for Exemption</u>
Dave Tiberio	Summer in the Square	Mead Square Park	\$1,500.00	July 30, 2018	Insufficient Coverage
Phil Hilden	Photography Classes	Victor Recreation Center	60% / 40%	December 31, 2018	Insufficient Coverage

And be it further

RESOLVED that a copy of this resolution be sent to Brian Emelson, Director of Parks and Recreation, Karen Bodine, Town Clerk, Dave Tiberio and Phil Hilden.

## 7B

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT - DAVE TIBERIO FOR SUMMER IN THE SQUARE CONCERT

WHEREAS, the Department of Parks and Recreation seeks to offer a concert in the park; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Dave Tiberio to provide music and sound for its Summer in the Square event to be held on Saturday, July 14, 2018 from 6:00 – 9:00 pm for a fixed fee not to exceed One Thousand Five Hundred Dollars (\$1,500.00); and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; and

WHEREAS, funds are included and available in the 2018 Operating Budget line item A7550.4 Celebrations Contractual; now, therefore, be it

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Dave Tiberio to provide music and sound for its Summer in the Square event to be held on Saturday, July 14, 2018 from 6:00 – 9:00 pm for a fixed fee not to exceed One Thousand Five Hundred Dollars (\$1,500.00), said funds are included and available in the 2018 Operating Budget line item A7550.4 Celebrations Contractual; 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, Finance Director; Karen Bodine, Town Clerk; and Dave Tiberio.

## 7C

RESOLUTION #  
AUTHORIZATION TO ENTER INTO AGREEMENT - PHIL HILDEN FOR PHOTOGRAPHY  
INSTRUCTION

WHEREAS, the Department of Parks and Recreation seeks to offer photography classes for adults in their recreation program; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Phil Hilden to provide instructional staff and equipment for photography classes to be held on various dates & times for Sixty Percent (60%) of the program registration net funds with the Town taking Forty Percent (40%) of the program registration net funds; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; and

WHEREAS, funds are included and available in the 2018 Operating Budget line item A7020.4 Recreation Programs Contractual; now, therefore, be it

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Phil Hilden to provide instructional staff and equipment for photography classes to be held at various dates & times for Sixty Percent (60%) of the program registration net funds with the Town taking Forty Percent (40%) of the program registration net funds, said funds are included and available in the 2018 Operating Budget line item A7020.4 Recreation Programs Contractual; and further

RESOLVED, that a copy of this resolution be forwarded to Mike Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Phil Hilden.

## 7D

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT - MEAT THE PRESS LLC FOOD TRUCK  
AT SUMMER CONCERTS

WHEREAS, the Department of Parks and Recreation seeks to offer food truck services at a summer concert; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Meat The Press LLC to provide a food truck at a summer concert to be held on Thursday, June 14, 2018 from 6:30 – 8:30 pm with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Meat The Press LLC to provide a food truck at a summer concert to be held on Thursday, June 14, 2018 from 6:30 – 8:30 pm with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; and further

RESOLVED, that a copy of this resolution be forwarded to Mike Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Christopher J. Virgo.

## 7E

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT - TOM WAHL'S INC. FOOD TRUCK AT  
SUMMER CONCERTS

WHEREAS, the Department of Parks and Recreation seeks to offer food truck services at a summer concert; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Tom Wahl's Inc. to provide a food truck at a summer concert to be held on Thursday, July 26, 2018 from 6:30 – 8:30 pm with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; and

WHEREAS, the Contractor has provided the Town with all the appropriate documents to support the proposed service agreement; now, therefore, be it

RESOLVED that this resolution is conditioned upon receiving approvals from the Town's Insurance Broker, or an insurance waiver from the Town Board, and the Attorney for the Town; and further

RESOLVED, that the Town Board authorizes the Town Supervisor and the Director of Parks and Recreation to enter into agreement with Tom Wahl's Inc. to provide a food truck at a summer concert to be held on Thursday, July 26, 2018 from 6:30 – 8:30 pm with the Town receiving Ten Percent (10%) of the gross sales from the event revenue; and further

RESOLVED, that a copy of this resolution be forwarded to Mike Stockman, Assistant Director of Parks and Recreation; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Jonathan Gonzalez.

RESOLUTION #  
AUTHORIZATION TO ENTER INTO AGREEMENT - TRUGREEN COMMERCIAL FOR  
 ATHLETIC FIELD MAINTENANCE PROGRAM

WHEREAS, the Department of Parks and Recreation has the need to enter into agreement with a vendor to provide fertilizer and pesticide applications three times per year to its athletic fields at Dryer Road Park and Village on the Park to increase the playability and safety of said fields; and

WHEREAS, the Director of Parks and Recreation has obtained the following proposals for said services;

Vendor	Cost
TruGreen Commercial	\$2,108.21
Broccolo Tree & Lawncare	\$3,326.00

And;

WHEREAS, funds were included and appropriated in the 2018 budget line item A7110.4 Parks Contractual; now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation and Town Supervisor to Enter into Agreement with TruGreen Commercial in an amount not to exceed Two Thousand One Hundred Eight Dollars and Twenty One Cents (\$2,108.21), said funds are available in the 2018 budget line item A7110.4 Parks Contractual; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Karen Bodine, Town Clerk; Barbara Cole, Finance Director; and Timothy Bowers, TruGreen Commercial.

# 7G

## RESOLUTION #

### AUTHORIZATION TO ENTER INTO AGREEMENT - O'BRIEN'S SEPTIC AND PORTABLE TOILETS FOR PORTABLE TOILET RENTALS - DEPARTMENT OF PARKS AND RECREATION

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

WHEREAS, funds are included and available in the 2018 Budget line item A7110.4; and

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

Vendor	Per Unit / Per Month Price Quote	Annualized Cost to the Town
United Rentals DBA Reliable Onsite Services	\$145.00	\$6,090.00
O'Brien's Septic and Portable Toilets	\$135.00	\$5,670.00

And;

WHEREAS, the Director of Parks and Recreation recommends that the Town enter into agreement with O'Brien's Septic and Portable Toilets for the rental of seasonal, portable, handicap accessible toilet units for Fishers Park, Harlan Fisher Park, Lehigh Crossing Park and Village on the Park at a cost not to exceed One Hundred Thirty Five Dollars (\$135.00) per unit / per month; now, therefore, be it

RESOLVED that the Town Board authorizes the Town Supervisor and Director of Parks and Recreation to enter into agreement with O'Brien's Septic and Portable Toilets to rent seasonal, portable, handicap accessible toilet units for Fishers Park, Harlan Fisher Park, Lehigh Crossing Park and Village on the Park at a cost not to exceed One Hundred Thirty Five Dollars (\$135.00) per unit / per month, said funds are included and available in the 2017 Budget line item A7110.4 Parks and Trails Operations; and further

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation; Karen Bodine, Town Clerk; Barbara Cole, Director of Finance, and Kathy O'Brien, O'Brien's Septic and Portable Toilets.



# 7H

RESOLUTION #

AUTHORIZATION FOR THE PURCHASE OF A 2018 FORD FUSION S FWD FROM THE NYS OFFICE OF GENERAL SERVICES VEHICLE MARKETPLACE MINI-BID #18030036

WHEREAS, the Planning & Building Department has the need to purchase a 2018 Ford Fusion S FWD for Building Inspector operations; and,

WHEREAS, this vehicle is available for purchase under NYS Office of General Services Vehicle Marketplace Mini-Bid #18030036, Contract #PC67357 through Genesee Valley Ford at a cost of Seventeen Thousand Two Hundred Thirty Seven dollars (\$17,237.00); and,

WHEREAS, funds are available in the 2018 Budget line item B.3620.200, Building-Safety Inspection Equipment; now therefore be it

RESOLVED, that the Town Board authorizes the Planning & Building Department to purchase a 2018 Ford Fusion S FWD in an amount not to exceed Seventeen Thousand Two Hundred Thirty Seven dollars (\$17,237.00) from the NYS Office of General Services Vehicle Marketplace Mini-Bid #18030036, Contract #PC67357 through Genesee Valley Ford; and further

RESOLVED, that a copy of this resolution be forwarded to Kim Kinsella, Planning/Zoning Coordinator; Town Clerk, Finance Department and Beth Hasebe, Genesee Valley Ford, LLC, 1675 Interstate Drive, Avon, New York 14414.

## RESOLUTION #

ORDER FOR PUBLIC HEARING TO ESTABLISH THE ANTON VALLEY DRAINAGE IMPROVEMENT AREA

WHEREAS, the Town Board of the Town of Victor (“the Town”) has received a petition to extend the Town of Victor Drainage Improvement Area (“VDIA”) and a Drainage Improvement Area Report (“DIR”) from Antonelli Development LLC (the “Petitioner”) requesting the extension of the VDIA to include the Anton Valley residential subdivision located on the corner of County Road 9 (aka Victor-Egypt Road) and Gillis Road as more specifically described in the DIR; and

WHEREAS, the boundaries of the Anton Valley Drainage District comprise a parcel at County Road 9 and Gillis Road, tax map #16.00-1-53.000, 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 drainage improvements include the maintenance of the stormwater drainage system for the residential subdivision, the creation of a basin pond and outlet control structure and the maintenance of landscaped dry swales; and

WHEREAS, the maximum amount proposed to be expended by for the stormwater drainage improvements to be constructed for the Anton Valley residential subdivision which will be consumed by the Anton Valley Drainage District is the sum of Two Hundred Ninety Five Thousand Dollars (\$295,000.00), the capital cost of which will be paid the Petitioner, and then the maintenance of which shall be assessed, levied and collected annually from the property owners within the VDIA in proportion as nearly as may be to the benefit which each lot or parcel of land in the VDIA shall benefit from; and

WHEREAS, since there will be no capital cost to the Town for the extension , no financing will be employed and it is therefore not necessary to obtain the approval of the New York State Comptroller’s Office; now, therefore be it

RESOLVED, that the Town Board of the Town of Victor, shall meet at the Town Hall, 85 East Main Street, Victor, New York, on the 9th day of April, 2018, at 7:30 p.m. for the purpose of conducting a public hearing on the petition to extend the VDIA to include the Anton Valley residential subdivision, at which time and place all persons interested in the subjects thereof may be heard; and be it further

RESOLVED that the Town Clerk advertise for said Public Hearing.

RESOLUTION #  
AFTER PUBLIC HEARING – ADOPT LOCAL LAW NO. \_\_\_\_ - 2018 TO AMEND THE TOWN CODE AT CHAPTER 27 FEES, SECTION 27-8 FEES ENUMERATED RELATING TO THE TRANSFER STATION

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Victor on the 12<sup>th</sup> day of March, 2018, calling for a Public Hearing to be held by the Town Board of the Town of Victor on the 26<sup>th</sup> day of March, 2018 to hear all interested parties on a proposed Local Law to clarify the punch car permit type associated with the services provided at the Transfer Station; and

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

WHEREAS, said Public Hearings were duly held at the Victor Town Hall on the 26<sup>th</sup> day of March, 2018 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 Victor Town Board finds and hereby determines that Chapter 27 Fees be amended; and

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

RESOLVED that Victor Town Board hereby adopts said Local Law No. \_\_-2018, as follows:

LOCAL LAW NO. \_\_\_\_ - 2018 TO AMEND THE TOWN CODE AT CHAPTER 27 FEES, SECTION 27-8 FEES ENUMERATED RELATING TO THE TRANSFER STATION

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 II. Title and Purpose

This law shall be known as and may be cited as Local Law No. \_\_\_\_ - 2018 to amend the Town Code at Chapter 27 Fees, Section 27-8 Fees Enumerated. The purpose of this amendment is to change the Transfer Station Punch Card permit type to Non-Expiring.

Section III. Legislative Finding

The Town Board finds that it is necessary to add a permit option and fee for residents and property owners to use for the disposal of large items and remodeling/construction debris.

Section IV. Amendment

Chapter 27 Fees, Section 27-8 shall be amended to read as follows:

AA. Transfer Station permit and Swap Shop only permit; permits available for purchase at Highway office only.

(2) Residential permit.

(c) Upon providing proper proof, residents and property owners within the Town of Victor, not including business entities, may obtain a Transfer Station Punch Card that shall entitle the holder thereof to dispose of large items and remodeling/construction debris. ~~An Annual~~ **The non-expiring** punch card shall cost \$100.00 for five (5) punches.

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 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.