

**VICTOR TOWN BOARD MEETING
MONDAY, AUGUST 27, 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

7) BUSINESS

- A. APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED CONSERVATION EASEMENT FOR LOTS 1 & 13 OF THE BEL ARBOR ESTATES SUBDIVISION (ALSO KNOWN AS 851 & 859 BEL ARBOR DRIVE) (Jack Marren)
- B. REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS (Brian Emelson)
- C. AUTHORIZATION TO ENTER INTO AGREEMENT - VERA FORSTER AS DIRECTOR OF COMMUNITY CHORUS (Brian Emelson)
- D. AUTHORIZATION TO ENTER INTO AGREEMENT - BUTTERFLY KIDS YOGA LLC TO TEACH YOUTH YOGA CLASSES (Brian Emelson)
- E. AUTHORIZATION TO ENTER INTO AGREEMENT - DEBBIE BARMASTER FOR HORSEBACK RIDING LESSONS (Brian Emelson)
- F. AUTHORIZATION TO PURCHASE 2018 E55 T4 BOBCAT COMPACT EXCAVATOR OFF NEW YORK STATE BID CONTRACT AWARD NUMBER PGB-22792, CONTRACT PC67141 FROM BOBCAT OF FINGER LAKES ON 1 YEAR TRADE PROGRAM FOR THE 2017 E45 BOBCAT EXCAVATOR (Mark Years)
- G. ACCEPTANCE OF GRANT FROM FINGER LAKES MUNICIPAL HEALTH INSURANCE TRUST FOR EMPLOYEE WELLNESS PROGRAM (Barb Cole)
- H. NAMING AUTHORIZED REPRESENTATIVE AND DIRECTION TO FILE 2018 NEW YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) GRANT APPLICATION FOR THE AUBURN TRAIL SANITARY SEWER PROJECT (Jack Marren)
- I. SET PUBLIC HEARING – LOCAL LAW NO. ____-2018 TO OVERRIDE THE NY TAX LEVY LIMIT FOR 2018 – TOWN OF VICTOR (Jack Marren)

7 A

RESOLUTION #

APPROVING AND AUTHORIZING THE EXECUTION OF AN AMENDED CONSERVATION EASEMENT FOR LOTS 1 & 13 OF THE BEL ARBOR ESTATES SUBDIVISION (ALSO KNOWN AS 851 & 859 BEL ARBOR DRIVE)

WHEREAS, the Town of Victor ("Town") is the grantee of a conservation easement ("Conservation Easement") that extends, in part, across Lots 1 & 13 of the Bel Arbor Estates Subdivision, also known as 851 & 859 Bel Arbor Drive, in the Town and further described in Conservation Easement #2, identified as Exhibit "A" and kept in the subject file in the Town Clerk's Office; and

WHEREAS, Tim Dragos and Voula Dragos, of 851 Bel Arbor Drive (Tax Map #15.01-1-68.010) and Brian Doane, of 859 Bel Arbor Drive (Tax Map #15.01-1-68.130), (collectively as the "Owners") desire to amend the Conservation Easement specifically for the construction of a berm with landscaping within the Conservation Easement on the 851 Bel Arbor Drive (Lot 1) property. LSI Solutions, located at 7796 NYS Route 251, has offered to install a berm with landscaping for the purpose of screening from car lights and traffic noise. The berm is in response to a left hand turn into their property, required by the NYS DOT, which will disturb part of the Bel Arbor Estates Conservation Easement. This information is set forth in more detail in the proposed amendment identified as Exhibit "B" ("Proposed Amendment") and kept in the subject file in the Town Clerk's Office; and

WHEREAS, the Conservation Easement, by its terms, presently prohibits the aforementioned activity contemplated by the Proposed Amendment within its boundaries; and

WHEREAS, the Town Conservation Board has reviewed the Proposed Amendment and has determined that the Proposed Amendment would amount to a minor change to the Conservation Easement and that allowing the Proposed Amendment would not materially adversely impact the purpose or value of the Conservation Easement; and

WHEREAS, the Town Board concurs with the Conservation Board that allowing the Proposed Amendment would not materially adversely impact the purpose or value of the Conservation Easement and that such change would be in the best public interest; and

WHEREAS, the Town Board has no objection to the Proposed Amendment provided all costs incurred by the Town to amend and approve of the Proposed Amendment are paid by the LSI Solutions; now, therefore, be it

RESOLVED, that the Victor Town Board hereby approves the Proposed Amendment, and authorizes the Supervisor to execute the Proposed Amendment on forms approved by the Attorney for the Town and any other documents that may be reasonably necessary to effect the Proposed Amendment; and

RESOLVED, that the Proposed Amendment shall not be filed until all costs incurred by the Town to amend and approve of the Proposed Amendment are paid by LSI Solutions; and further be it

RESOLVED, that a copy of this Resolution be provided to the Town Clerk, the Town Conservation Board, the Attorney for the Town, the Owners and LSI Solutions.

7 B

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>
Vera Forster	Director Community Chorus	Various Locations	\$1,800.00	December 31, 2019	Insufficient Coverage
Butterfly Yoga, LLC	Kid's Yoga	7891 Lehigh Crossing	70% - 30%	August 31, 2019	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>
Vera Forster	Director Community Chorus	Various Locations	\$1,800.00	December 31, 2019	Insufficient Coverage
Butterfly Yoga, LLC	Kid's Yoga	7891 Lehigh Crossing	70% - 30%	August 31, 2019	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; Vera Forster and Butterfly Yoga, LLC.

7 C

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT - VERA FORSTER AS DIRECTOR OF COMMUNITY CHORUS

WHEREAS, the Department of Parks and Recreation seeks to have offer a community chorus; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Vera Forster to be the Director of the Community Chorus to be held at various times and dates for One Thousand Eight Hundred Dollars, (\$1,800.00), said funds are included in the 2018 Operating Budget line item A6772.4 Programs for The Aging Contractual; 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 A6772.4 Programs for the Aging 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 Vera Forster to be the Director of the Community Chorus to be held at various times and dates for One Thousand Eight Hundred Dollars, (\$1,800.00), said funds are included in the 2018 Operating Budget line item A6772.4 Programs for The Aging 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 Vera Forster.

7 D

RESOLUTION #
AUTHORIZATION TO ENTER INTO AGREEMENT - BUTTERFLY KIDS YOGA LLC TO
TEACH YOUTH YOGA CLASSES

WHEREAS, the Department of Parks and Recreation seeks to offer yoga classes for children in the recreation program; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Butterfly Kids Yoga LLC to offer yoga classes, to be held on various dates & times for Seventy Percent (70%) of the program registration net funds with the Town taking Thirty Percent (30%) 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 Butterfly Kids Yoga LLC to offer yoga classes to be held at various dates & times for Seventy Percent (70%) of the program registration net funds with the Town taking Thirty Percent (30%) 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 Butterfly Kids Yoga LLC.

7 E

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT - DEBBIE BARMASTER FOR HORSEBACK RIDING LESSONS

WHEREAS, the Department of Parks and Recreation seeks to offer Horseback riding lessons for all ages in the recreation program; and

WHEREAS, it is the intention of the Department of Parks and Recreation to enter into agreement with Debbie Barmaster to provide Horseback riding lessons to be held on various dates & times for Seventy Percent (70%) of the program registration net funds with the Town taking Thirty Percent (30%) 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 Debbie Barmaster to provide Horseback riding lessons to be held at various dates & times for Seventy Percent (70%) of the program registration net funds with the Town taking Thirty Percent (30%) 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 Christine Winter, Recreation Supervisor; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Debbie Barmaster.

7 F

RESOLUTION #

AUTHORIZATION TO PURCHASE 2018 E55 T4 BOBCAT COMPACT EXCAVATOR OFF NEW YORK STATE BID CONTRACT AWARD NUMBER PGB-22792, CONTRACT PC67141 FROM BOBCAT OF FINGER LAKES ON 1 YEAR TRADE PROGRAM FOR THE 2017 E45 BOBCAT EXCAVATOR

WHEREAS, the Highway Department has the need to purchase a 2018 E55 Bobcat Compact Excavator for highway operations and trade the 2017 E45 Bobcat Excavator with bucket (B2VY13243) on a 1 year trade program; and

WHEREAS, this equipment is available for purchase off New York State Bid Contract Award Number PGB-22792, Contract PC67141 from Bobcat of Finger Lakes; and

WHEREAS, funds are available in the 2018 Budget line DB.5130.200 Highway Equipment for the purchase of equipment for the operations of the Highway Department to replace an existing 2017 E45 Bobcat Excavator on the 1 year trade program; now, therefore, be it

RESOLVED, that the Town Board authorizes the Highway Superintendent to trade the 2017 E45 Bobcat Excavator for the amount of Forty Five Thousand Dollars (\$45,000.00); and further

RESOLVED, that the Town Board authorizes the Highway Superintendent to purchase the 2018 E55 Bobcat Compact Excavator after trade-in on the 2017 E45 Bobcat Excavator, for the balance of Twenty One Thousand Five Hundred Twelve Dollars and Ninety Eight cents (\$21,512.98), said funds are available in the 2018 Budget line DB.5130.200 Highway Equipment; and further

RESOLVED, that a copy of this resolution be forwarded to Mark Years, Highway Superintendent; Finance Department, Town Clerk, and Bobcat of the Finger Lakes.

7 G

RESOLUTION #
ACCEPTANCE OF GRANT FROM FINGER LAKES MUNICIPAL HEALTH INSURANCE TRUST FOR EMPLOYEE WELLNESS PROGRAM

WHEREAS, the Town of Victor Wellness Committee works cooperatively with the Finger Lakes Municipal Health Insurance Trust to maintain and enhance employee health through various programs provided through the Wellness Committee; and

WHEREAS, the Wellness Committee has recommended a program to teach healthy cooking techniques to Town employees; and

WHEREAS, this program has been approved by the Town Supervisor, and funding for this project has been given in the form of a grant through the Finger Lakes Municipal Health Insurance Trust; and

WHEREAS, the Finger Lakes Municipal Health Insurance Trust has donated Five Hundred Dollars (\$500.00) to the Town of Victor in support of this wellness project; and

WHEREAS, the Chairman of the Wellness Committee recommends that we accept and deposit this donation in support of this project; now, therefore be it

RESOLVED that the Town Board accepts the Wellness grant in the amount of Five Hundred dollars (\$500.00) from the Finger Lakes Municipal Health Insurance Trust (FLMHIT) and authorizes the Finance Director to increase the revenue line Gifts and Donations (A.2705) by Five Hundred dollars (\$500.00) in the 2018 Budget in addition to an offsetting increase in the expense line Other General Government Wellness Committee (A.1989.420) of Five Hundred dollars (\$500.00). All budget entries to be done upon board approval; and be it further.

RESOLVED that a copy of this resolution be forwarded to Michael Stockman, Chairman Wellness Committee; Barbara Cole, Finance Department; Karen Bodine, Town Clerk; and Jack Marren, Supervisor/FLMHIT Liaison.

7 H

RESOLUTION #

NAMING AUTHORIZED REPRESENTATIVE AND DIRECTION TO FILE 2018 NEW YORK STATE WATER INFRASTRUCTURE IMPROVEMENT ACT (WIIA) GRANT APPLICATION FOR THE AUBURN TRAIL SANITARY SEWER PROJECT

WHEREAS, the Town of Victor intends to carry out the Auburn Trail Sanitary Sewer Project that includes installation of approximately 35,000 linear feet of gravity and force main sanitary sewer line, replacement of related sanitary sewer pump stations and incorporating additional associated equipment; and

WHEREAS, the proposed improvements associated with the Auburn Trail Sanitary Sewer Project are eligible to receive funding under the New York State Water Infrastructure Improvement Act ("WIIA") grant program, and grant applications for the WIIA grant program are due September 7, 2018; and

WHEREAS, the Town of Victor is required to designate an "Authorized Representative" under the New York State WIIA grant program; now, therefore, be it

RESOLVED that the Town Board of the Town of Victor designates the Town Supervisor to be the Town's "Authorized Representative", thereby allowing the Town Supervisor to act on the Town's behalf for the New York State WIIA grant program; and be it further

RESOLVED that the Victor Town Board authorizes and directs the Town Supervisor, Jack Marren, to submit a 2018 New York State Water Infrastructure Improvement Act grant application; and be it further

RESOLVED that copies of this resolution be forwarded to LaBella PC and the Town Clerk.

RESOLUTION #
SET PUBLIC HEARING – LOCAL LAW NO. _____ -2018 TO OVERRIDE THE NY TAX LEVY
LIMIT FOR 2018 – TOWN OF VICTOR

WHEREAS, the Town Board of the Town of Victor recognizes that the Town has continued to experience rapid growth; and

WHEREAS, the Town Board further recognizes that 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.; and

WHEREAS, in part because of the Town's historically low tax rate, the Town's ability to increase revenues via taxation is severely limited due to the NYS Tax Levy Limit (which limits increase in taxation to a percentage of historic taxes); and

WHEREAS, the Town Board finds that, 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; and

WHEREAS, as a result, the Town Board of the Town of Victor directed the attorney for the Town to draft a Local Law permitting the Town to override the Tax Levy Limit imposed by General Municipal Law Section 3-c; and

WHEREAS, a draft Local Law has been submitted to the Town Board implementing the provision for such override of the Tax Levy Limit for 2019; said draft Local Law is on file with the Town Clerk where it is available for public review; now, therefore, be it

RESOLVED, by the Town Board of the Town of Victor, that a Public Hearing shall be had on the _____ day of _____, 2018, at 7:30 p.m., at the Victor Town Hall, 85 East Main St., Victor, NY, for the purpose of considering the adoption of such Local Law to override the Tax Levy Limit; and be it further

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