

VICTOR TOWN BOARD MEETING
TUESDAY, OCTOBER 9, 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 7:00 PM

- None Scheduled

7) BUSINESS

- A. ROYAL CAR WASH, SITE PLAN, LETTER OF CREDIT RELEASE 2 (Karen Bodine)
- B. ROYAL CAR WASH, DEMOLITION AND RESTORATION LETTER OF CREDIT RELEASE 2(FINAL) (Karen Bodine)
- C. CORRECTION OF MANIFEST #17-2018 (Karen Bodine)
- D. APPOINTMENT OF DREW HOUGHTALING TO PART-TIME TRANSFER STATION LABORER (Tina Kolaczyk)
- E. BUDGET TRANSFER TO FUND BUILDING SAFETY LITIGATION (Barb Cole)
- F. SET PUBLIC HEARING - 2018 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)
- G. SET PUBLIC HEARING DATE - 2019 BUDGET (Jack Marren)
- H. UPDATE TO SEQRA NOTICE OF COMPLETION AND RE-OPEN COMMENT PERIOD FOR A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR THE ADOPTION AND IMPLEMENTATION OF THE ROUTE 96 TRANSFORMATIVE CORRIDOR STRATEGIC INFRASTRUCTURE PLAN (Jack Marren)

7 A

RESOLUTION #

ROYAL CAR WASH, SITE PLAN, LETTER OF CREDIT RELEASE 2

WHEREAS, Royal Wash Victor, LLC, received Planning Board approval for Royal Car Wash, Site Plan Letter Of Credit Release 1 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 Credit No. 1107102137 was previously posted with the Town; and

WHEREAS, the Engineer for the Town has reviewed the Developer's Request for Release of Funds and Statement of Construction No. 2 dated September 24, 2018 and recommends in his letter September 25, 2018 that \$31,422.13, be released from said Letter of Credit; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 2 on the Canandaigua National Bank Irrevocable Letter of Credit No. 1107102137 in the amount of \$31,422.13, as recommended by the Town Engineer and conditioned upon payment of all engineering and inspection fees owed to the Town; and further

RESOLVED that given said release, there now remains \$12,258.31 in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, Royal Wash Victor, LLC and Passero Associates.

7 B

RESOLUTION #

ROYAL CAR WASH, DEMOLITION AND RESTORATION LETTER OF CREDIT RELEASE
2(FINAL)

WHEREAS, Royal Wash Victor, LLC, received Planning Board approval for Royal Car Wash, Demolition And Restoration Letter Of Credit Release 1 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 Credit No. 1107101955 was previously posted with the Town; and

WHEREAS, the Engineer for the Town has reviewed the Developer's Request for Release of Funds and Statement of Construction No. 2(Final) dated June 17, 2018 and recommends in his letter September 25, 2018 that \$22,275.00, be released from said Letter of Credit; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 2(Final) on the Canandaigua National Bank Irrevocable Letter of Credit No. 1107101955 in the amount of \$22,275.00, as recommended by the Town Engineer and conditioned upon payment of all engineering and inspection fees owed to the Town; and further

RESOLVED that given said release, there now remains \$0.00 in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, Royal Wash Victor, LLC and Passero Associates.

7 C

RESOLUTION #
CORRECTION OF MANIFEST #17-2018

WHEREAS the Finance Dept. has submitted the following voided check to the Town of Farmington due to a duplicate payment that was made resulting in the need to correct the corresponding Manifest; now, therefore, be it

RESOLVED, that the following Manifest be corrected:

09/24/18 Manifest # 17-2018 total amount be corrected to \$312,141.68, voided check #00058757 (Voucher #20181976, \$2,952.00)

and further

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

7 D

RESOLUTION #

APPOINTMENT OF DREW HOUGHTALING TO PART-TIME TRANSFER STATION LABORER

WHEREAS, Drew Houghtaling was interviewed for the Part-Time Laborer position for the Transfer Station on September 27, 2018 by an interview committee consisting of Mark Years, Highway Superintendent; Casey Paige, Highway/Recycle Office Manager; and Tina Kolaczyk, Director of Human Resources; and

WHEREAS, the interview committee wishes to appoint Drew Houghtaling to the Part-Time Laborer position for the Transfer Station with a starting date of October 5, 2018 at a rate of Fifteen dollars and Thirteen cents (\$15.13) /hour to be charged to the 2018 Town Budget line A.8160.100 Refuse & Garbage Personal Services; now, therefore be it

RESOLVED that Drew Houghtaling, Victor, NY, be appointed to the Part-Time Laborer position for the Transfer Station with a starting date of October 5, 2018 at a rate of \$15.13/hour to be charged to the 2018 Town Budget line A.8160.100 Refuse & Garbage Personal Services; and be it further

RESOLVED that a copy of this resolution be sent to Drew Houghtaling, Mark Years, Casey Paige, Mary Lyng, Finance Department, Human Resources, Town Clerk, and the Ontario County Department of Human Resources.

7 E

RESOLUTION #
BUDGET TRANSFER TO FUND BUILDING SAFETY LITIGATION

WHEREAS, the contract with Harris Beach has an annual “not to exceed” clause for Town legal fees exclusive of litigation; and

WHEREAS, the Town has received invoices for litigation service in the Building Safety account; and

WHEREAS, in the past we have not experienced fees in this area; and

WHEREAS, the Finance Director has determined a budget transfer is required to separate general legal from litigation fees in the Building Safety to accurately track legal spending; and

WHEREAS, there are available funds in the Stormwater Management.Engineering account (B.8140.431); now, therefore, be it

RESOLVED that the following 2018 budget transfer be approved in the Town Outside Village Fund (B) as recommended by the Finance Director; and

	TO:			FROM:	
ACCOUNT NO.	DESCRIPTION	AMOUNT	ACCOUNT NO.	DESCRIPTION	AMOUNT
B.3620.431	Building Safety.Litigation	\$10,000	B.8140.430	Stormwater Management.Engineering	\$10,000

RESOLVED that all entries to achieve the above-mentioned budget transfers be completed upon Town Board approval of this resolution; and

RESOLVED that a copy of this Resolution be forwarded to Kim Kinsella, Project Coordinator; Karen Bodine, Town Clerk; and Barbara Cole, Finance Director.

RESOLUTION #

SET PUBLIC HEARING - 2018 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 Victor Consolidated Sewer District (“Sewer District”) has previously incurred capital debt and the annual interest and principal payments will be due; and

WHEREAS, the Sewer District will incur additional capital expenses through capital improvements including engineering fees; and

WHEREAS, the collection of funds in the amount of Seven Hundred Thousand dollars (\$700,000.00) is necessary to cover the Sewer District expenses in 2019; and

WHEREAS, the Victor Central Water District (“Water District”) has previously incurred capital debt and the annual interest and principal payments will be due; and

WHEREAS, the collection of funds in the amount of Sixteen Thousand One Hundred Seventy Seven (\$16,177.00) is necessary to cover the Water District expenses in 2019; and

WHEREAS, the Town will also incur operation and maintenance (O&M) costs for respective Lighting Districts in 2019; and

WHEREAS, it is necessary for the Town to collect funds to cover said Sewer District expenses, Water District expenses and Lighting Districts O&M costs; and

WHEREAS, all property owners in the Sewer District and Water District benefit from said districts and must contribute to the repayment of the district’s capital debt and capital improvements in accord with the benefit received; and

WHEREAS, the Board seeks to collect a Capital Recovery Charge (“CRC”) from all property owners within the Sewer and Water Districts through a benefit-based special assessment; and

WHEREAS, the Town Board has directed the Assessor to compute the CRC charge for the Sewer District on the 2018 Special Assessment Roll by applying a benefit formula where one-third of this charge is based on water consumption, one-third on property use and the last one-third on acreage; and

WHEREAS, the Town Board has directed the Assessor to compute the CRC charge for the Water District on the 2018 Special Assessment Roll by applying a benefit formula where one half of this charge will be applied as an ad valorem levy to the entire District and the other one half of this charge will be applied as an ad valorem levy just to the Northeast Quadrant Water District Extension. Also a meter surcharge will be levied on all meter sizes greater than 5/8” and on all additional 5/8” meters numbering more than one per tax parcel, and

WHEREAS, each Lighting District’s O&M costs will be spread over each respective lighting district as established when each lighting district was approved or revised since its inception; and

WHEREAS, the Town’s budgeted tax levy amount for each lighting district is:

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Brookwood Meadows Light	\$2,070.00
Cobblestone Light	\$31,740.00
Quail Ridge Light	\$6,273.00
Rolling Meadows Light	\$6,666.00
Fairways Light	\$7,216.00
Stoneleigh Light	\$296.00

WHEREAS, the Assessor has prepared and presented a 2018 Special Assessment Roll to the Town Board; and

WHEREAS, it is necessary to hold a public hearing on the 2018 Special Assessment Roll; and it is hereby

RESOLVED, by the Town Board of the Town of Victor that a Public Hearing shall be had on the 22nd day of October 2018, at 7:00 p.m., for the purpose of hearing public comment regarding the 2018 Special Assessment Roll; and be it further

RESOLVED, that the Town Clerk advertise for said Public Hearing and notice all property owners within the Districts in a manner consistent with law; and be it further

RESOLVED, that a copy of this Resolution be provided to the Town Assessor, Town Clerk, and the Finance Office.

7 G

RESOLUTION #
SET PUBLIC HEARING DATE - 2019 BUDGET

WHEREAS, on September 24, 2018 the Town Clerk presented the Town Board with the 2019 Tentative Budget; and

WHEREAS, on October 11, 2018 the Town Board approved the 2019 Tentative Budget thereby becoming the 2018 Preliminary Budget filed with the Town Clerk; now, therefore, be it

RESOLVED, that a Public Hearing date of Monday, October 24, 2018 at 7:00 PM be scheduled for the purpose of hearing public comment, both oral and written, on the 2019 Preliminary 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.

RESOLUTION #
UPDATE TO SEQRA NOTICE OF COMPLETION AND RE-OPEN COMMENT PERIOD FOR A DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR THE ADOPTION AND IMPLEMENTATION OF THE ROUTE 96 TRANSFORMATIVE CORRIDOR STRATEGIC INFRASTRUCTURE PLAN

WHEREAS, the Victor Town Board ("Town Board") passed Resolution No. 435 on August 13, 2018, with regard to the SEQRA Notice of Completion of a Draft Generic Environmental Impact Statement ("DGEIS") for the Adoption and Implementation of the Route 96 Transformative Corridor Strategic Infrastructure Plan, which Resolution accepted the DGEIS and found the same to be adequate with respect to its scope and content for the purpose of commencing public review; and

WHEREAS, the Town Clerk, on the Town Board's behalf and assisted by the Town Engineer, prepared, in accordance with New York's SEQRA regulations, a Notice of Completion of the Draft Generic Environmental Impact Statement ("Notice of Completion") prepared in accordance with Article 8 of the Environmental Conservation Law; and

WHEREAS, the Town Clerk, assisted by the Town Engineer, filed the prepared Notice of Completion with the New York State Department of Environmental Conservation Environmental Notice Bulletin at <http://www.dec.ny.gov/enb/enb.html>; and

WHEREAS, the Town Board accepted comments on the DGEIS between August 13, 2018 through 5:00 pm EDT on September 20, 2018; and, the Town Board held a Public Hearing to receive comments on the DGEIS on September 10, 2018 at 7:30 pm EDT at the Town of Victor Town Hall located at 85 E. Main Street, Victor, NY; and

WHEREAS, Involved Agencies were not afforded the opportunity to review and comment on the DGEIS; now, therefore, be it

RESOLVED, that the Town Clerk shall, on the Town Board's behalf and assisted by the Town Engineer, prepare, in accordance with New York's SEQRA regulations, an updated Notice of Completion of the DGEIS prepared in accordance with Article 8 of the Environmental Conservation Law; and further

RESOLVED that the Town Board hereby re-opens the comment period for the DGEIS, and the updated Notice of Completion shall indicate that the period during which comments on the DGEIS will be accepted by the Town Board shall commence immediately with the adoption of this resolution and shall cease as of 5:00 pm EDT on November 9, 2018; and further

RESOLVED, that the Town Clerk, assisted by the Town Engineer, shall file, in accordance with New York's SEQRA regulations, the prepared Notice of Completion: 1) with the Chief Executive Officer of any political subdivision within which the proposed Action would be principally located; 2) with other involved agencies; and, 3) with the Environmental Notice Bulletin at <http://www.dec.ny.gov/enb/enb.html>; and, be it

RESOLVED that a copy of the DGEIS be made available for review at the office of the Town of Victor Town Clerk at the Victor Town Hall located at 85 E. Main Street, Victor, NY; and further

RESOLVED that copies of this resolution be forwarded to LaBella Associates, Clark Patterson Lee, Village of Victor, Ontario County, NYSDOT, NYSDEC, and the Town Clerk.