

**VICTOR TOWN BOARD MEETING  
MONDAY, OCTOBER 22, 2018  
DRAFT RESOLUTION PACKET**

*“Town Board Draft Resolutions are in **draft** form and are subject to change prior to or during the public meeting.”*

**PUBLIC HEARINGS start at 7:00 PM**

- A. 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
- B. PUBLIC HEARING - 2019 BUDGET

**REGULAR MEETING starts at 7:00 PM**

**7) BUSINESS**

- A. AUBURN CREEK APARTMENTS, PHASE 2, LETTER OF CREDIT, RELEASE 2 (FINAL) (Karen Bodine)
- B. REQUEST FOR CERTIFICATE OF LIABILITY INSURANCE WAIVERS (Mike Stockman)
- C. AUTHORIZATION TO ENTER INTO AGREEMENT - SUSAN MICCICHE TO TEACH ADULT ART CLASSES (Mike Stockman)
- D. AUTHORIZATION TO ENTER INTO AGREEMENT - BILL KERR FOR YOUTH BASKETBALL LEAGUE OFFICIATING (Brian Emelson)
- E. AUTHORIZATION TO ENTER INTO AGREEMENT - DREW COVIELLO FOR YOUTH BASKETBALL LEAGUE OFFICIATING (Brian Emelson)
- F. AUTHORIZATION TO ENTER INTO AGREEMENT - JAY GOLD FOR YOUTH BASKETBALL LEAGUE OFFICIATING (Brian Emelson)
- G. AUTHORIZATION TO ENTER INTO AGREEMENT - RAY O'NEILL FOR YOUTH BASKETBALL LEAGUE OFFICIATING (Brian Emelson)
- H. AUTHORIZATION FOR THE PURCHASE AND INSTALLATION OF THREE-RAIL, WOOD SAFETY FENCE FOR THE VICTOR COMMUNITY CONNECTIVITY PROJECT (PIN 4755.95) (Brian Emelson)
- I. AUTHORIZATION FOR SUPERVISOR TO ENTER INTO A RESTATED AND AMENDED SHARED SERVICES AGREEMENT WITH THE ONTARIO COUNTY PLANNING DEPARTMENT FOR PROFESSIONAL PLANNING SERVICES (Jack Marren)

- J. FINAL AUTHORIZATION OF THE RESOLUTION APPROVING THE DIMINUTION OF THE BOUNDARIES OF THE VICTOR FIRE PROTECTION DISTRICT AFTER EXPIRATION OF PERMISSIVE REFERENDUM (Jack Marren)
  
- K. ADOPTION OF THE 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)
  
- L. ADOPTION OF THE 2019 BUDGET (Jack Marren)

# PH A

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF VICTOR  
2018 SPECIAL ASSESSMENT ROLL

Notice is hereby given that the 2018 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 2018 Special Assessment Roll at the Victor Town Hall, 85 East Main St., Victor, New York at 7:00 PM on October 22, 2018. At such time, all citizens wishing to make comments, written or oral, on said 2018 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 PM on the 22<sup>nd</sup> day of October, 2018.

The 2018 Special Assessment Roll is available on the Town website at [www.victorny.org](http://www.victorny.org).

Dated: October 10, 2018

Karen C. Bodine, Town Clerk

# PH B

LEGAL NOTICE  
PUBLIC HEARING  
TOWN OF VICTOR  
2019 BUDGET

Notice is hereby given that the Preliminary Budget of the Town of Victor for the fiscal year of 2019 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 7:00 P.M. on Monday, October 22, 2018. 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 2019 year is \$545,695.00.

The following is a summary of the entire Preliminary Budget for 2019:

Total Appropriations	\$14,320,355.00
Less Estimated Revenues	\$8,205,111.00
Less Unexpended Balances	\$1,522,461.00
Amount to be Raised by Taxes	\$4,592,783.00

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	\$89,430.37
Town Clerk	\$55,000.00
Council Members each, (4)	\$10,931.14
Highway Superintendent	\$80,753.29
Justices each (2)	\$41,803.96

This by order of the Victor Town Board.

Dated: October 10, 2018

Karen C. Bodine, Town Clerk

# 7A

RESOLUTION #

AUBURN CREEK APARTMENTS, PHASE 2, LETTER OF CREDIT, RELEASE 2 (FINAL)

WHEREAS, Auburn Creek Apartments, LLC, received Planning Board approval for Auburn Creek Apartments, Phase 2 with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, M & T Bank Irrevocable Letter of Credit No. SB1819810001 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 June 26, 2017 and recommends in his letter October 11, 2018 that \$15,000.00, be released from said Letter of Credit; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 2 (Final) on the M & T Bank Irrevocable Letter of Credit No. SB1819810001 in the amount of \$15,000.00, as recommended by the Town Engineer; 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, Auburn Creek Apartments, LLC and BME Associates.

# 7B

## 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>
Susan Micciche	Art Instructor	7891 Lehigh Crossing	60% - 40%	October 31 30, 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>
Susan Micciche	Art Instructor	7891 Lehigh Crossing	60% - 40%	October 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; Finance Department and Susan Micciche.

## 7C

RESOLUTION #  
AUTHORIZATION TO ENTER INTO AGREEMENT - SUSAN MICCICHE TO TEACH ADULT  
ART CLASSES

WHEREAS, the Department of Parks and Recreation seeks to offer art 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 Susan Micciche to provide instruction in art for adults 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 Susan Micciche to provide instruction in art for adults to be held at various dates & times for Sixty Percent (60%) of the program registration net funds with the Town taking Thirty 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 Recreation and Parks; Brian Emelson, Director of Parks and Recreation; Barb Cole, Finance Director; Karen Bodine, Town Clerk; and Susan Micciche.

## 7D

RESOLUTION #

AUTHORIZATION TO ENTER INTO AGREEMENT - BILL KERR FOR YOUTH BASKETBALL LEAGUE OFFICIATING

WHEREAS, the Department of Parks and Recreation offers youth basketball leagues; and

WHEREAS, the Department of Parks and Recreation requires certified youth basketball officials to officiate games; 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 for a sum of Twenty Nine Dollars (\$29.00) per contest; 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 2019 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 to 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 Bill Kerr to provide youth basketball officiating to be held at a date and time that is mutually agreed upon by the Contractor and recreation program coordinator for the sum of Twenty Nine Dollars (\$29.00) per contest; 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 Bill Kerr, SODA Basketball Official.



RESOLUTION #  
AUTHORIZATION TO ENTER INTO AGREEMENT - DREW COVIELLO FOR YOUTH BASKETBALL LEAGUE OFFICIATING

WHEREAS, the Department of Parks and Recreation offers youth basketball leagues; and

WHEREAS, the Department of Parks and Recreation requires certified youth basketball officials to officiate games; 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 for a sum of Twenty Nine Dollars (\$29.00) per contest; 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 2019 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 to 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 Drew Coviello to provide youth basketball officiating to be held at a date and time that is mutually agreed upon by the Contractor and recreation program coordinator for the sum of Twenty Nine Dollars (\$29.00) per contest; 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 Drew Coviello, SODA Basketball Official.

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

WHEREAS, the Department of Parks and Recreation offers youth basketball leagues; and

WHEREAS, the Department of Parks and Recreation requires certified youth basketball officials to officiate games; 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 for a sum of Twenty Nine Dollars (\$29.00) per contest; 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 2019 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 to 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 Jay Gold to provide youth basketball officiating to be held at a date and time that is mutually agreed upon by the Contractor and recreation program coordinator for the sum of Twenty Nine Dollars (\$29.00) per contest; 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 Jay Gold, SODA Basketball Official.

## 7G

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

WHEREAS, the Department of Parks and Recreation offers youth basketball leagues; and

WHEREAS, the Department of Parks and Recreation requires certified youth basketball officials to officiate games; 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 for a sum of Twenty Nine Dollars (\$29.00) per contest; 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 2019 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 to 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 Ray O'Neill to provide youth basketball officiating to be held at a date and time that is mutually agreed upon by the Contractor and recreation program coordinator for the sum of Twenty Nine Dollars (\$29.00) per contest; 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 Ray O'Neill, SODA Basketball Official.

# 7H

## RESOLUTION #

### AUTHORIZATION FOR THE PURCHASE AND INSTALLATION OF THREE-RAIL, WOOD SAFETY FENCE FOR THE VICTOR COMMUNITY CONNECTIVITY PROJECT (PIN 4755.95)

WHEREAS, the Department of Parks and Recreation has the need to purchase and have installed several sections of three-rail, wood safety fence for the Lane Road Shared Use Path in association with the Victor Community Connectivity Project; and

WHEREAS, the Director of Parks and Recreation has obtained the following written quotations for the purchase of said materials and the fence installation:

VENDOR	PURCHASE MATERIALS ONLY	PURCHASE MATERIALS & INSTALLATION
New York State Fence, Inc.	\$8,680.00	\$13,800.00
ACIA Construction	\$6,800.00	\$16,760.00

And

WHEREAS, funds are available and identified in the Victor Community Connectivity Capital Project fund (H21.5410.2); and

WHEREAS, the Director of Parks and Recreation recommends that said materials and installation services be purchased from New York State Fence, Inc. in an amount not to exceed Thirteen Thousand Eight Hundred Dollars (\$13,800.00); now, therefore, be it

RESOLVED that the Town Board authorizes the Director of Parks and Recreation to purchase and have installed several sections of three-rail, wood safety fence for the Lane Road Shared Use Path in association with the Victor Community Connectivity Project from New York State Fence, Inc. in an amount not to exceed Thirteen Thousand Eight Hundred Dollars (\$13,800.00), said funds are available and identified in the Victor Community Connectivity Capital Project fund (H21.5410.2); 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 Stephen Hansen, New York State Fence, Inc.

RESOLUTION #  
AUTHORIZATION FOR SUPERVISOR TO ENTER INTO A RESTATED AND AMENDED  
SHARED SERVICES AGREEMENT WITH THE ONTARIO COUNTY PLANNING  
DEPARTMENT FOR PROFESSIONAL PLANNING SERVICES

WHEREAS, on December 11, 2017 the Town Board approved Resolution #518 to enter into a contract with the Ontario County Planning Department for Professional Planning Services; and

WHEREAS, necessary changes to the Contract and Schedule "A" have been identified in order to clarify 2018 deliverables in light of the consultant's schedule for the Access Management Plan while retaining the existing January to December 2018 term. It is anticipated that a no cost time extension will be executed to cover items to be completed in 2019; now, therefore, be it

RESOLVED that the Town Board hereby authorizes the Supervisor to enter into a Restated and Amended Contract including an amended Schedule "A" with the Ontario County Planning Department for Professional Planning Services, under the terms and conditions as provided in the 2018 Restated and Amended Intermunicipal Cooperation Agreement and Schedule "A" and kept in the subject matter file in the Town Clerk's Office, with a cost not to exceed Twenty Seven Thousand Fifty dollars (\$27,050.00), to be funded from the 2018 Budget line item B.8020.400 Planning Contractual; and further be it

RESOLVED that a copy of this Resolution be forwarded to Tom Harvey, Ontario County Planning Department; the Finance Department, Kim Kinsella, Town Clerk Karen Bodine and the Human Resources Department.

RESOLUTION #

FINAL AUTHORIZATION OF THE RESOLUTION APPROVING THE DIMINUTION OF THE BOUNDARIES OF THE VICTOR FIRE PROTECTION DISTRICT AFTER EXPIRATION OF PERMISSIVE REFERENDUM

WHEREAS, on September 10, 2018, the Victor Town Board adopted a resolution approving the diminution of the boundaries of the Victor Fire Protection District in anticipation of the establishment of a joint fire district known as the Victor Fire District; and

WHEREAS, said authorization was subject to permissive referendum; and

WHEREAS, the Town Clerk did duly post and publish a notice specifying that the resolution approving the diminution of the boundaries of the Victor Fire Protection District was adopted subject to a permissive referendum; and

WHEREAS, the permissive referendum period has run and no petition in opposition to the approval of the diminution of the boundaries of the Victor Fire Protection District has been filed; now, therefore be it

RESOLVED, that the diminution of the boundaries of the Victor Fire Protection District, as set forth in the resolution, be finally approved, and subject only to the conditions precedent set forth therein; and further

RESOLVED, that a copy of this resolution be forwarded to the Town Clerk and the Victor Fire Department.

# 7K

RESOLUTION #

ADOPTION OF THE 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 Town Board directed the Town Assessor to prepare the 2018 Special Assessment Roll; and

WHEREAS, pursuant to Town Law §239 the Town Clerk caused a notice of Public Hearing regarding the 2018 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 22, 2018; 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; and

RESOLVED, the Town Board affirms and adopts the 2018 Special Assessment Roll dated September 24, 2018; and it is further

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

RESOLUTION #  
ADOPTION OF THE 2019 BUDGET

WHEREAS, the Town Supervisor and Town Board conducted budget workshops on August 13, August 20, August 27, September 10, September 19, September 24, and October 9, 2018; and

WHEREAS, the budget preparation process included a complete fiscal evaluation of the Town; and

WHEREAS, the 2019 budget proposes a tax rate of [REDACTED] cents (\$) per thousand dollars of assessed valuation; and

WHEREAS, at the October 9, 2018 regular meeting of the Town Board, a resolution was adopted setting the 2019 Budget Public Hearing for October 22, 2018 at 7:00 PM at the Victor Town Hall at which time the opportunity was provided for all comments, both oral and written, to be heard; now, therefore, be it

RESOLVED, that all comments both written and oral have been heard and the Victor Town Board does hereby adopt the proposed 2019 Budget as the official 2019 Budget for the Town of Victor which is on file in the Town Clerk's Office; and further

RESOLVED, that the Town Clerk forward two certified copies of the 2019 Budget along with two copies of each Special Assessment Roll and the Assessor's Impact report to the Clerk of the Ontario County Board of Supervisors; and further

RESOLVED, that a copy of this resolution be forwarded to the Finance Director, Ontario County Real Property and the Clerk of the Ontario County Board of Supervisors.