

A regular meeting of the Victor Town Board was held on January 11, 2016 starting at 7:00 PM with the following members present:

PRESENT:

| | |
|------------|----------------|
| Supervisor | Jack Marren |
| Councilman | Mike Guinan |
| Councilman | David Tantillo |
| Councilman | Silvio Palermo |
| Councilman | Dan Crowley |

OTHERS PRESENT: Debra Denz, Town Clerk; David Hou, Town Attorney; Mark Years, Highway Superintendent; Brian Emelson, Parks & Recreation Director; Babette Huber, Historian; Steve Metzger, Town Engineer; Jack R. Dianetti, Kent Kiikka, Tim Brown, Sue Stehling, Bill Stehling, Neil Stein, Ronald Courtney, John H. Palomaki, John M. Palomaki, Douglas Fisher and Brittany Turner.

Supervisor Marren called the meeting to order at 7:00 PM, and made the following announcements:

- 1) Everyone was asked to sign in on the attendance sheet, cell phones were requested to be turned off, and any private conversations or interviews to be conducted in the hallway or outside. Emergency exit locations were pointed out to the left and right sides of the Main Meeting Room.
- 2) Town Departments will be closed January 18th for Martin Luther King Day.
- 3) Privilege of the Floor was granted to Douglas Fisher.

The flag was saluted.

RESOLUTION #43

APPROVAL OF MINUTES

On motion of Councilman Crowley, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

RESOLVED that the minutes of the regular meeting of December 14, 2015 be approved.

RESOLUTION #44

PAYMENT OF BILLS

On motion of Councilman Tantillo, seconded by Councilman Guinan, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

RESOLVED that the bills be paid on Manifest #1 in the amount of \$181,970.26. Documentation for these expenditures can be found on vouchers filed by numbers #20153003-20153096.

| | |
|--|-------------|
| A- General Townwide | \$88,363.96 |
| B- General Outside Village | \$2,338.83 |
| DB – Highway Townwide | \$55,420.47 |
| H19 –High Street Capital Improvement Project | \$21,203.13 |
| SS –S5 CVS Sewer | \$510.00 |
| TA –Trust & Agency | \$14,133.87 |

Supervisor Marren reviewed each of the five large expenses that were included in Manifest #1.

PRIVILEGE OF THE FLOOR

Douglas Fisher, reviewed that funding for grants to NYS Thruway Authority for infrastructure, mostly bridges, is included in the Governor's Executive budget and recommended that the Town Board apply for grant funding for sidewalks, pedestrian and biking lanes with the reconstruction of the Willowbrook Rd. and High Street bridges.

PRIVILEGE OF THE FLOOR

Douglas Fisher related his concern regarding the demolition of a structure located at 7855 County Rd. 42 that he advised was the historic 1921 Fishers Fire house. Felt that a referral to the Planning Board prompting public review of buildings to be demolished would be protection for buildings over 50 years old. He encouraged the Town Board to review and develop this procedure and criteria for Planning Board review. Urged the Town Board to adopt an effective Historic Preservation law.

Supervisor Marren advised that a consultant has been hired by the Historian to prepare a Town and Village historic structure inventory, which is expected to be completed in sixty days. He noted that in the meantime, demolition permit applications will be forwarded to the Town Historian.

PUBLIC COMMENT

John M Palomaki –to contribute to what Douglas Fisher had said, referenced the Comprehensive Plan and the intent to develop a historic resource inventory and create code provisions. Referenced Councilman Tantillo's comments at the December 28th meeting agreeing with him and felt all voices should be heard.

Sue Stehling, 930 Raccoon Run – regarding historic preservation, advised that in 1989 the Town of Victor did put together a draft ordinance and in 1991 the Village did as well for review.

REPORTS OF TOWN OFFICIALS

SUPERVISOR

Supervisor Marren distributed information in a submitted report to Town Board members, and discussed the following items:

1) Emergency Management Committee meeting this week and Councilman Crowley to be in attendance. Requested the Committee to research the marking of fire hydrants in the Town.

SUBMITTED REPORTS

Highway
Parks and Recreation
Attorney
Engineer
Historian

Comments on submitted reports:

Supervisor Marren recognized Ken Wilson Jr. for his leadership role with Storm Water Management.

Councilman Tantillo reviewed the revenue reimbursement amounts for items at the Recycle Center.

Councilman Tantillo questioned if the Historic Resource Inventory would capture the natural historical resources.

Babette Huber, Historian, responded to Mr. Tantillo reviewing that the Conservation Board has done the Natural Resource Inventory, and noted that the Historic Advisory Committee is doing the built environment at this point, not doing archeological resources.

TOWN CLERK

Debra Denz reported:

- 1) Renewal Notice received from Victor Distillery Corp. for their application for Permit #3145158 to the NYS Liquor Authority for a Liquor, Wine & Beer license for The Distillery located at 10 Square Dr. **(Note: Town Board had no objections.)**
- 2) Town Clerk's report for the month of December, 2015 and also the Town Clerk Annual Report for 2015 were distributed and are available for review in the Town Clerk's office.
- 3) Town Clerk thanked the Town Board for approving her attendance at the local training for officials conducted by the NYS Association of Towns that was held 1/6-1/8/16 in Henrietta, NY.

COUNCILMAN PALERMO

Historic Advisory Committee –attended last meeting where Cynthia Hawk from the Landmark Society of Central New York, who is conducting the Victor Historic Resource Study, reviewed the list of 600 properties that have historic significance. Felt once it's completed it will help with future planning. Advised that Committee members have requested to have more participation and communication with the Conservation, Planning and Zoning Boards. He supported the request and suggested members from the Historic Advisory Committee become liaisons to the Boards.

Babette Huber, Historian, reviewed that they could receive an agenda from the secretaries for the boards, and then ask a member to attend the meeting when there is something that may have historical interest. Felt they would like an opportunity to comment at meetings if there were any historic concerns on projects.

Jack Dianetti reviewed the changes to the Planning Board meeting with public hearings for site plans. Advised that they are working to have a public comment section at every meeting.

Town Board members briefly discussed and the Town Board Liaisons will approach the other Boards to discuss how a Historic Advisory Liaison could fit into their meeting process.

RESOLUTION #45

MOVE TO SCHEDULED PUBLIC HEARING

On motion of Councilman Tantillo, seconded by Councilman Crowley, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

RESOLVED that the regular meeting of the Victor Town Board be interrupted to hold the scheduled Public Hearing.

PUBLIC HEARING

LOCAL LAW NO. -2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 150, "PEDDLING AND SOLICITING" IN ORDER TO REVISE PROVISIONS RELATED TO THE REGULATION OF PEDDLING AND SOLICITING ACTIVITIES IN THE TOWN

Public Hearing was opened at 7:35 PM.

Legal Notice was read into the record by the Town Clerk.

Neil Stein, Strong Road –supported the amendment. Questioned if this pertains to charitable/ faith based groups.

Attorney David Hou reviewed the changes presented and that there are exemptions for charitable, political, educational and not for profit organization.

Public Hearing closed 7:40 PM

RESOLUTION #46

RE-OPEN REGULAR MEETING OF THE VICTOR TOWN BOARD

On motion of Councilman Tantillo, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

RESOLVED that the regular meeting of the Victor Town Board be reconvened.

COUNCILMAN CROWLEY

Conservation Board –new chairperson and new member at the 1st meeting of the year. Reviewing the Auburn Hills Phase 2 project.

COUNCILMAN GUINAN

Local Development Corp –Ontario County Economic Development Fund has been officially approved and have received notice of the first installment that they are able to loan out to appropriate businesses in the Town outside of the Village.

COUNCILMAN TANTILLO

Parks and Recreation Advisory Committee –visited the new Park and Recreation facility and looking to update the master plan.

PARKS AND RECREATION BUILDING UPDATE

Brian Emelson updated stating that they moved into the new facility on December 31, 2015. Still a few items to be completed but able to hold programs.

RESOLUTION #47

TUSCANY HILLS SUBDIVISION, LETTER OF CREDIT, RELEASE 1

On motion of Councilman Tantillo, seconded by Councilman Guinan, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

WHEREAS, Affronti Development LLC, received Planning Board approval for Tuscany Hills Subdivision, with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, Lyons National Bank Irrevocable Letter of Credit No. 380 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. 1 dated December 14, 2015 and recommends in his letter December 23, 2015 that \$692,495.26, minus engineering and inspection fees, be released from said Letter of Credit; now, therefore, be it

RESOLVED that the Town Board hereby approves Release No. 1 on the Lyons National Bank Irrevocable Letter of Credit No. 380 in the amount of \$692,495.26, minus engineering and inspection fees, as recommended by the Town Engineer; and further

RESOLVED that given said release, there now remains \$444,305.16 in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, Frank Affronti, and D. S. B. Engineers, PC.

RESOLUTION #48

AUTHORIZATION TO CREATE A MAP, PLAN AND REPORT FOR THE PROPOSED TOWN OF VICTOR DRAINAGE IMPROVEMENT AREA

On motion of Councilman Crowley, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

WHEREAS, the Victor Town Board previously directed the implementation of a Drainage Committee in the Town of Victor to study, analyze, discuss and propose solutions for challenges related to surface water runoff and drainage within the Town of Victor; and

WHEREAS, after many months of study, analysis and discussion, the Drainage Committee has presented to the Town Board a proposal to establish a Town of Victor Drainage Improvement Area to address drainage issues within the Town of Victor; and

(Resolution #48 con't)

WHEREAS, preliminarily, the Victor Town Board is interested in further pursuing the establishment of said proposed Victor Drainage Improvement Area; and

WHEREAS, the Drainage Committee has substantially completed mapping, data collection and reports and other studies related to drainage in the Town of Victor throughout its various meetings; and

WHEREAS, the Victor Town Board would like to formalize the work of the Drainage Committee into a proposed Town of Victor Drainage Improvement Area Map Plan and Report, pursuant to Town Law Article 12-C, such that the Town Board can move forward with formal consideration of the establishment of the Town of Victor Drainage Improvement Area; now, therefore, be it

RESOLVED, that the Victor Town Board hereby directs the Engineer for the Town to develop a proposed Map, Plan and Report for the proposed Town of Victor Drainage Improvement Area at a cost not to exceed Three Thousand Five Hundred dollars (\$3,500.00); and be it further

RESOLVED, that upon completion of the proposed Map, Plan and Report, a copy thereof be filed in the Office of the Town Clerk of Victor and copied be provided to each of the Victor Town Board members for their further consideration; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, the finance Department and the Town Clerk.

RESOLUTION #49

ADOPT AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES FOR THE TOWN OF VICTOR

On motion of Councilman Guinan, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

WHEREAS, pursuant to New York Highway Law Section 284, the Victor Town Board and the Victor Town Highway Superintendent are annually required to execute an agreement which governs the expenditure of monies on the Town of Victor highways; and

WHEREAS, the Town Board and the Town Highway Superintendent have reviewed a proposed agreement entitled "Agreement for the Expenditure of Highway Monies" to govern the expenditure of monies for the year 2016 on Town highways; and

WHEREAS, the monies identified in the Agreement for the Expenditure of Highway Monies is consistent with the 2016 Town budget; now, therefore be it

RESOLVED, that the Town Board hereby adopts, approves and ratifies the Agreement for the Expenditure of Highway Monies identified as Schedule "A" and kept in the subject file in the Town Clerk's office and hereby authorizes the Town Supervisor to enter into and execute the same; and, be it further

RESOLVED, that a copy of this Resolution be forwarded to the Town Clerk, the Town Highway Superintendent, Ontario County Superintendent, and the Fiscal Manager.

RESOLUTION #50

AMENDMENT RESOLUTION # 385-15 RE-APPOINTMENT OF LINDA HERNE TO THE BOARD OF ASSESSMENT REVIEW

On motion of Councilman Crowley, seconded by Councilman Palermo, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

WHEREAS, on December 14, 2015 the Town Board adopted Resolution # 385 Re-Appointment of Linda Herne to the Board of Assessment Review; and

(Resolution #50 con't)

WHEREAS, an error was made on the term date; now, therefore be it

RESOLVED, that Resolution #385-15 be amended to read as follows:

RE-APPOINTMENT OF LINDA HERNE TO THE BOARD OF ASSESSMENT REVIEW

WHEREAS, Linda Herne's term on the Board of Assessment Review ended on September 30, 2015; and

WHEREAS, Linda Herne has expressed her interest in being re-appointed to the Board of Assessment Review; and

WHEREAS, the Board of Assessment Review has qualified Linda Herne as an acceptable candidate to serve on the Board of Assessment Review; now, therefore be it

RESOLVED that Linda Herne be re-appointed to the Board of Assessment Review for a five (5) year term, beginning on October 1, 2015 and ending on September 30, 2020 at a 2015 salary of Four Hundred dollars (\$400.00) per year, to be taken from budget line item #A.1360.100 Board of Assessment Review Personal Services; and be it further

RESOLVED that a copy of this resolution be sent to Human Resources, Wayne Pickering, Debra Denz, Robin Johnson, Ontario County Office of Real Property; Tammy Jahna, Ontario County Office of Real Property; and Linda Herne.

RESOLUTION #51

AMENDMENT TO RESOLUTION #408-15 - APPROVAL OF 2016 TOWN OF VICTOR EMPLOYEE SALARIES

On motion of Councilman Crowley, seconded by Councilman Guinan, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

WHEREAS, the Town Board approved Resolution #408 on December 28, 2015 for the 2016 Town of Victor Employee Salaries; and

WHEREAS, corrections are needed for the highlighted areas:

| Job Title | 2016 salaries (with 2% COLA & step Increases) | Grade | Step | 2016 Longevity |
|--|---|-------|------|-------------------|
| | | | | |
| Account Clerk Typist | 23.56 | 3 | F | 1,500.00 |
| Account Clerk Typist | 20.93 | 2 | F | 1,500.00 |
| Account Clerk/Typist | 20.30 | 2 | E | |
| Account Clerk/Typist | 22.15 | 3 | D | |
| Administrative Aide/Human Resources | 54,966.34 | 6 | A | |
| Assessment Board of Review Chair (1) | 600.00 | | | |
| Assessment Board of Review Members (4) | 400.00 | | | |
| Assessor | 64,666.42 | 6 | F | 1,500.00 |
| Assessor's Aide | 19.67 | 2 | D | |
| Assistant Parks & Rec Director | 66,993.16 | 7 | C | |
| Budget Officer | 10,000.00 | | | |
| Building Inspector – Part-Time | 23.56 | 3 | F | |
| Building Inspector – Part-Time | 22.86 | 3 | E | |
| Cleaner – Part-Time | 17.45 | 1 | F | |
| Clerk to Town Justice | 26.20 | 4 | F | 2,500.00 |
| Clerk to Town Justice | 23.56 | 3 | F | |

| | | | | |
|---|-----------------------------------|-----------------------|---|----------|
| Code Enforcement Officer | 31.09 | 6 | F | 1,500.00 |
| Code Enforcement Officer | 29.22 | 6 | D | |
| Confidential Secretary to Town Supervisor | 43,531.80 | 2 | F | |
| Conservation Board Chair (1) | 3,600.00 | | | |
| Conservation Board Members (4) | 2,300.00 | | | |
| Constable - Courts | 23.56 | 3 | F | |
| Councilman (4) | 10,506.67 | | | |
| Deputy Water Superintendent/Recycle | 31.09 | 6 | F | 2,500.00 |
| Deputy Town Clerk | 20.93 | 2 | F | |
| Deputy Town Clerk | 20.93 | 2 | F | |
| Deputy Town Clerk/Receiver of Taxes | 23.56 | 3 | F | 1,500.00 |
| Deputy Town Supervisor | 2,000.00 | | | |
| Director of Development | 80,094.56 | 8 | E | |
| Director of Economic Development | 54,493.92 | 4 | F | |
| Director of Parks & Rec | 82,571.84 | 8 | F | 1,500.00 |
| Fire Marshal | 31.09 | 6 | F | 1,500.00 |
| Fiscal Assistant | 26.20 | 4 | F | |
| Fiscal Manager | 77,617.54 | 8 | D | |
| Highway Superintendent | 77,617.58 | | | |
| Historian | 11,626.89 | | | |
| Laborer – PT Parks & Rec | 10.95 | Seasonal Pay Scale | D | |
| Laborer – Parks & Rec/Recycle | 16.40 | 1 | D | |
| Laborer – Part-Time Recycle | 16.38 (\$0.50 Coordinator pay) | 1 | C | |
| Laborer – Part-Time Recycle | 15.88 | 1 | C | |
| Laborer – Part-Time Recycle | 15.35 | 1 | B | |
| Laborer – Part-Time Recycle | 15.35 | 1 | B | |
| Laborer – Part-Time Recycle | 14.83 | 1 | A | |
| Laborer – Part-Time – Seasonal | 17.45 | 1 | F | |
| Mechanic | 27.65 | 5 | F | |
| Motor Equipment Operator - Recycle | 26.20 | 4 | F | 1,500.00 |
| Motor Equipment Operator - Recycle | 26.20 | 4 | F | 1,500.00 |
| Motor Equipment Operator - Recycle | 25.41 | 4 | E | |
| Motor Equipment Operator – Highway | 26.20 | 4 | F | 1,500.00 |
| Motor Equipment Operator – Highway | 26.20 | 4 | F | 1,500.00 |
| Motor Equipment Operator – Highway | 26.20 | 4 | F | 1,500.00 |
| Motor Equipment Operator – Highway | 26.20 | 4 | F | 1,500.00 |
| Motor Equipment Operator – Highway | 26.70 (\$0.50 Foreman pay) | 4 | F | 2,500.00 |
| Motor Equipment Operator – Highway | 23.84 | 4 | C | |
| Motor Equipment Operator – Highway | 25.41 | 4 | E | |
| Motor Equipment Operator – Highway | 24.63 | 4 | D | |
| Motor Equipment Operator – Highway | 23.06 | 4 | B | |
| Motor Equipment Operator – Parks | 23.06 | 4 | B | |
| Motor Equipment Operator/Safety | 26.70(\$0.50 Coordinator pay) | 4 | F | 1,500.00 |
| Motor Equipment Operator - Foreman | 26.70(\$0.50 Foreman pay) | 4 | F | 2,500.00 |

| | | | | |
|---|------------------------------|------------|---|----------|
| Motor Equipment Operator - Foreman | 26.70(\$0.50 Foreman pay) | 4 | F | 1,500.00 |
| Motor Equipment Operator, Light – Parks & Rec | 23.56 | 3 | F | 1,500.00 |
| Parks Maintenance Assistant | 31.09 | 6 | F | 1,500.00 |
| Planning Board Chair | 5,000.00 | | | |
| Planning Board Members (4) | 3,306.00 | | | |
| Recreation Supervisor | 57,503.42 | 5 | F | 1,500.00 |
| Recreation Supervisor | 50,603.02 | 5 | B | |
| Secretary to the Planning Board | 20.93 | 2 | F | |
| Secretary to the Zoning Board of Appeals | 18.42 | 2 | B | |
| Senior Typist/Project Coordinator | 29.22 | 6 | D | |
| Town Clerk | 58,743.49 | | | |
| Town Justice | 40,180.54 | | | |
| Town Justice | 40,180.54 | | | |
| Town Supervisor | 85,957.85 | | | |
| Typist – Part Time | 17.45 | 1 | F | |
| Typist – Part Time | 15.00 | Fixed Rate | | |
| Typist – Part-Time | 15.88 | 1 | C | |
| Typist – Part-Time | 14.83 | 1 | A | |
| Typist – Part-Time | 17.45 | 1 | F | |
| Typist – Part-Time | 15.88 | 1 | C | |
| Typist – Part-Time | 16.40 | 1 | D | |
| Zoning Board of Appeals Chair | 3,501.00 | | | |
| Zoning Board of Appeals Members (4) | 2,325.00 | | | |

now, therefore, be it

RESOLVED that the wages for 2016 for full time and part time staff are amended and approved; and further be it

RESOLVED that a copy of this resolution be forwarded to the Finance Department and all Town of Victor employees.

RESOLUTION #52

AUTHORIZATION FOR STIPEND FOR BRIAN EMELSON FOR OUT-OF-TITLE SPECIAL TOWN PROJECT WORK

On motion of Councilman Tantillo, seconded by Councilman Crowley, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

WHEREAS, the Town Board has requested Brian Emelson to manage and implement several walkable communities and transportation grants for the Town of Victor for 2016, 2017, and 2018; and

WHEREAS, these projects are outside of the scope of duties of Brian's current role as Director of Parks & Recreation, and will require additional working hours to complete; and

WHEREAS, Brian has and will be involved in the following activities:

- RFP work
- Preparing, executing, and managing the contracts with the DOT, contractors, engineers, etc. involved in the project
- Managing the Federal Aid Process (16 steps)
- Hiring the consulting engineer
- Project Team organization and management

- Public input meetings
- Public relations with homeowners/landowners
- Project Management activities
- Reviewing documents
- Attending evening meetings; and

WHEREAS, several Monroe County Towns and Ontario County Human Resources were consulted for what they have done in similar situations, and these municipalities do offer a stipend for out-of-title work on special projects, and

WHEREAS, the Victor Town Board is proposing a One Hundred dollars (\$100.00) per pay period stipend to Brian for 2016, 2017, and 2018 as compensation for the additional working hours of out-of-title work throughout the duration of both projects for 2016, 2017, and 2018, to be paid in equal payroll increments throughout 2016, 2017, and 2018 from each year's Budget Line A.7021.100 Parks & Rec. Dept. Personal Services; now, therefore be it

RESOLVED that the Victor Town Board approves the One Hundred dollars (\$100.00) per pay period stipend to Brian for 2016, 2017, and 2018 as compensation for the additional working hours of out-of-title work for the walkable communities and transportation grant projects, to be paid in equal payroll increments throughout 2016, 2017, and 2018, said funds are available in each year's Budget Line A.7021.100 Parks & Rec. Dept. Personal Services; and be it further

RESOLVED that a copy of this resolution be sent to Brian Emelson, the Finance Dept., Human Resources, the Town Clerk, and Ontario County Human Resources.

RESOLUTION #53

APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW – 962 COUNTY ROAD 9

On motion of Councilman Tantillo, seconded by Councilman Guinan, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

WHEREAS, the Monroe County Water Authority ("Authority") is responsible for the existing water main that provides water service to 962 County Road 9, Victor, NY 14564, located, in the Town of Victor; and

WHEREAS, the acquisition of one (1) easement is necessary for the operation, maintenance and future replacement of the water main; and

WHEREAS, the easement, is located along the frontage of 962 County Road 9 (Tax Acct. No. 16.00-1-47.000), which is owned by David T. Hahn and is approximately 208' x 15' as shown on Schedule "A"; and

WHEREAS, the acquisition is necessary to allow for the operation, maintenance and future replacement water main which will allow the Water Authority to continue to provide potable water supply and fire protection to this property and the property owner has agreed to voluntarily grant the easement to the Water Authority; and

WHEREAS, §1096(6-a) of New York's Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisition by the Town Board; now, therefore, be it

RESOLVED, that the Town hereby approves of the Water Authority's voluntary acquisition of easements over 962 County Road 9, in accordance with §1096(6-a) of the New York Public Authorities Law; and be it further

RESOLVED, that a copy of the filed easement be forwarded to the Victor Town Clerk; and further

(Resolution #53 con't)

RESOLVED, that a copy of this resolution be provided to Margo Phelan, Monroe County Water Authority; Kenneth Wilson, Town of Victor Stormwater Management Officer; Wayne Pickering, Town Assessor; Town Attorney, Mark Years, Highway Superintendent; and Debra Denz, Town Clerk.

RESOLUTION #54

APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW – 7124 GILLIS ROAD

On motion of Councilman Tantillo, seconded by Councilman Guinan, the following resolution was ADOPTED AYES 5 (Marren, Palermo, Crowley, Guinan, Tantillo) NAYS 0

WHEREAS, the Monroe County Water Authority ("Authority") is responsible for the existing water main that provides water service to 7124 Gillis Road, Victor, NY 14564, located, in the town of Victor; and

WHEREAS, the acquisition of one (1) easement is necessary for the operation, maintenance and future replacement of the water main; and

WHEREAS, the easement, is located along the frontage of 7124 Gillis Road (Tax Acct. No. 6.04-2-41.000), which is owned by Adam M. Snyder and is approximately 100' x 15' as shown on Schedule "A"; and

WHEREAS, the acquisition is necessary to allow for the operation, maintenance and future replacement water main which will allow the Water Authority to continue to provide potable water supply and fire protection to this property and the property owner has agreed to voluntarily grant the easement to the Water Authority; and

WHEREAS, §1096(6-a) of New York's Public Authorities Law requires the Water Authority to obtain the prior approval of the above-referenced acquisition by the Town Board; now, therefore, be it

RESOLVED, that the Town hereby approves of the Water Authority's voluntary acquisition of easements over 7124 Gillis Road, in accordance with §1096(6-a) of the New York Public Authorities Law; and be it further

RESOLVED, that a copy of the filed easement be forwarded to the Victor Town Clerk; and further

RESOLVED, that a copy of this resolution be provided to Margo Phelan, Monroe County Water Authority; Kenneth Wilson, Town of Victor Stormwater Management Officer; Wayne Pickering, Town Assessor; Town Attorney, Mark Years, Highway Superintendent; and Debra Denz, Town Clerk.

RESOLUTION #55

AFTER PUBLIC HEARING - ADOPT LOCAL LAW NO. _____ -2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 150, "PEDDLING AND SOLICITING" IN ORDER TO REVISE PROVISIONS RELATED TO THE REGULATION OF PEDDLING AND SOLICITING ACTIVITIES IN THE TOWN

On motion of Councilman Palermo, seconded by Councilman Crowley, the following resolution was ADOPTED BY ROLL CALL VOTE:

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|---------------------|-----|
| Councilman Tantillo | AYE |
| Councilman Guinan | AYE |
| Supervisor Marren | AYE |
| Councilman Crowley | AYE |
| Councilman Palermo | AYE |

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Victor on the 28th day of December, 2015, calling for a Public Hearing to be held by the Town Board of the Town of Victor on the 11th day of January, 2016 at the Victor Town Hall, 85 East Main Street, at 7:30 P.M., to hear all interested parties on a proposed Local Law to amend Chapter 150 entitled "Peddling and Soliciting"; and

(Resolution #55 con't)

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

WHEREAS, said Public Hearing was duly held at the Victor Town Hall on the 11th day of January, 2016 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 Town Board of the Town of Victor finds and hereby determines that Chapter 150 entitled "Peddling and Soliciting" of the Town Code of the Town of Victor be amended; and

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

RESOLVED by the Town Board of the Town of Victor that the Town Board hereby adopts said Local Law No. ___-2016 to amend Chapter 150 entitled "Peddling and Soliciting" of the Town Code of the Town of Victor as follows:

LOCAL LAW NO. _____-2016 TO AMEND THE VICTOR TOWN CODE AT CHAPTER 150, "PEDDLING AND SOLICITING" IN ORDER TO REVISE PROVISIONS RELATED TO THE REGULATION OF PEDDLING AND SOLICITING ACTIVITIES IN THE TOWN

BE IT ENACTED, by the Town Board of the Town of Victor, Ontario County, State of New York, as follows:

Section I. Authorization

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section II. Title and Purpose

This law shall be known as and may be cited as Local Law No. _____-2016, To Amend The Victor Town Code At Chapter 150, "Peddling and Soliciting" In Order To Revise Provisions Related To The Regulation Of Peddling And Soliciting Activities In The Town.

Section III. Legislative Finding

The Town Board of the Town of Victor finds and hereby determines that the Victor Town Code should be revised in order to better regulate peddling and soliciting activities in the Town.

Section IV. Amendment.

Chapter 150 entitled "Peddling and Soliciting" Section 150-4 shall be amended to read as follows:

In all areas of the Town of Victor, exclusive of those listed in Section 150-3 of this chapter and the Village of Victor, it shall be unlawful to peddle or solicit without first having obtained and paid for, and having in force and effect, a license issued by the Town Clerk's office. Each permitted peddler or solicitor must carry a copy of the license.

Chapter 150 entitled "Peddling and Soliciting" Section 150-5A(12) shall be amended to read as follows:

(12) The applicant, at the time of executing such application, shall submit as identification a driver's license or non-driver's photo identification, reasonably satisfactory to the Town Clerk, and a completed Ontario County Sheriff's Release of Information.

(Resolution #55 con't)

Chapter 150 entitled "Peddling and Soliciting" Section 150-5A(14) shall be amended in its entirety with the following:

(14) Food vendors must provide proof of NYS Health Department approval.

A new sub-Section 150-5A(15) shall be added to read as follows:

(15) For each person soliciting, a driver's license or non-driver's photo identification and a completed Ontario County Sheriff's Release of Information shall be submitted.

Chapter 150 entitled "Peddling and Soliciting" Section 150-14 shall be amended to read as follows:

Within the Town of Victor, exclusive of the Village of Victor, soliciting or peddling door to door shall be prohibited before 9:00 a.m. and after 7:00 p.m., Monday through Saturday. No peddling shall be permitted on Sundays.

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.

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, the Code Enforcement Officer, and the Town Clerk.

PUBLIC COMMENT

Neil Stein, Strong Road –thanked the Town Board for the increased transparency on the Recycling procedures and the updated information on the website.

On motion of Councilman Crowley, seconded by Councilman Palermo, the meeting was adjourned at 7:55 PM.

Respectfully submitted, _____ Debra J. Denz, Town Clerk