

6:00 PM Town Board Workshop –Presentation and report by the Town Engineer for the Design Process for Stormwater Management Facilities

A regular meeting of the Victor Town Board was held on January 25, 2016 starting at 7:10 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; Ken Wilson, Storm Water Management Officer, Brian Emelson, Parks & Recreation Director; Steve Metzger, Town Engineer; Robert Graham, Code Enforcement, Frank Pavia, Kate Crowley, Joe Limbeck, Bonnie Waters, Kelsey Van Aken, Mary Duprey, Carla Jordan, John H. Palomaki, Kent Kikka, Tim Brown, Neil Stein, Heather Zollo, David G. Harp, Kaleb Harp, Brenna Fosco, Emily Hawryschuk, David Knapp, Ed Kahovec, Melody Burri, and one unreadable name.

Supervisor Marren called the meeting to order at 7:10 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) Welcomed students from VCS and advised of the double credit for approaching and speaking at the podium.

The flag was saluted.

RESOLUTION #56

APPROVAL OF MINUTES

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 minutes of the regular meeting of December 28, 2015 be approved.

RESOLUTION #57

PAYMENT OF BILLS

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

RESOLVED that the bills be paid on Manifest #2-2015 Revised on 1/25/16 in the amount of \$211,102.84. Documentation for these expenditures can be found on vouchers filed by numbers #20153098 - 20153157.

A- General Townwide	\$126,088.63
B- General Outside Village	\$4,331.79
DB – Highway Townwide	\$16,606.56
H19 –High Street Capital Improvement Project	\$10,745.00
SL1-Fishers Light	\$170.51
SL2-Brookwood Meadows Light	\$178.62
SL3-High Point Light	\$149.04
SL4-Cobblestone Light	\$2,527.33
SL5-Quail Ridge Light	\$493.64
SL-6-Rolling Meadows Light	\$525.96

SL-7-Legacy at Fairways	\$530.48
SL-8-Stoneleigh Light	\$33.72
SS –S5 CVS Sewer	\$26,990.41
TA –Trust & Agency	\$21,731.15

Supervisor Marren reviewed each of the seven large expenses that were included in Manifest #2-2015.

RESOLUTION #58

PAYMENT OF BILLS

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 bills be paid on Manifest #2-2016 in the amount of \$1,167,921.46. Documentation for these expenditures can be found on vouchers filed by numbers #20160006-20160090.

A- General Townwide	\$689,278.19
B- General Outside Village	\$132,001.98
DB – Highway Townwide	\$330,514.29
F-WATER	\$16,025.00
SS –Consolidated Sewer Fund	\$102.00

Supervisor Marren reviewed each of the ten large expenses that were included in Manifest #2-2016.

PRIVILEGE OF THE FLOOR

1) Mary Duprey, Victor Garden Club distributed and reviewed photos of an 8' long 4' high "Gateway Sign" on metal stands to be placed at the four corners entrance to Victor (NYS Route 96/County Rd. 42 Main St. Fishers). Estimated cost is \$9,000 and they have been actively seeking donations from the public, businesses and coordinating with Brian Emelson and NYS Dept. of Transportation to obtain the approvals. Looking for Town Board support for the project.

Town Board briefly discussed and clarified with Ms. Duprey. They supported moving forward with the sign purchase and installation based on the information presented.

2) Carla Jordan, Ontario County Planning Dept., reviewed that they are updating the Ontario County's All Hazard Mitigation plan and that Action worksheets are prepared by each town and submitted for inclusion in the draft. She requested that the Action worksheets be approved by the Town Board, and once the State and Federal Governments approve the plan, each of the municipalities will then adopt it. The plan is required for applications for grant funding from FEMA and SEMO in the event of an emergency.

PUBLIC COMMENT

John Palomaki, representing Friends of the Railroad invited the Town Board to their February 3rd Annual meeting at Mickey Finns.

Tim Brown, 1247 Cork Rd. representing the American Legion, thanked Mary Duprey and the Victor Garden Club and Brian Emelson, for their efforts in beautifying our community. Advised that the American Legion has a committee that could maintain the displaying of the flags.

REPORTS OF TOWN OFFICIALSSUPERVISOR

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

- 1) Information received from the NYS Comptroller's office that the Real Property Tax Cap for the school districts to be 0.12% budget year 2016. He felt that this will create a hardship for VCS which continues to grow.
- 2) Regarding sales tax revenue, counties on an average throughout the state reported an increase of .99%. Wayne Co. increased 1.39%, Monroe Co. 3.55% and Seneca Co. 1.32%. Ontario County was on the negative side, felt that bordering counties are different and could be a difference in more online sales.
- 3) Attended a recent VCS School Board meeting, where the girls soccer team, and individuals participating in the play were recognized. He wanted to recognize the students at VCS for their efforts in "Stuff the Bus", the Bell Ringing campaign, "Snack Pack", and the Decca Club that participated in fund raising for Camp Good Days.
- 4) Received correspondence regarding the Victor Gravel pit and advised that he spoke with the owner who has amended his application to the DEC revising it for an extension of hours from 7AM to 5:30 PM, and the Town should receive a revised submission.

SUBMITTED REPORTS

Highway

Town Historian

Fiscal Manager

Economic Development

Attorney

Engineer

TOWN CLERK

Debra Denz reported:

- 1) Correspondence received from the secretary for the Zoning Board of Appeals advising of a public hearing for application 22-Z014 for Finger Lakes Coffee Roasters, 73350 NYS Route 251, for an area variance. As the requested variance is within 500 feet of Town of Victor parkland, Lehigh Crossing Park, comments or objections are being requested from the Town Board as property owner. **Town Board had no objection or comments**
- 2) Correspondence received from David and Dawn Klein, 93 Barchan Dune Rise, requesting that one or two street lamps be installed as they are located in the Cobble Creek Lighting District. **Supervisor Marren referred questions that the Town Board may have to Wayne Pickering.**
- 3) Notice from the Highway Superintendent that the ten lever surplus voting machines have been disposed of as approved at the December 14, 2015. **Supervisor Marren noted that the revenue from the disposal was \$214 and thanked the Highway Superintendent for responding to the Town Clerk's request for the information to close out the file.**
- 4) 30-Day Advanced Notice received from SMB ROC LLC advising of their application to the NYS Liquor Authority for a Wine & Beer Only license for Smashburger, 190 Cobblestone Court. **Town Board had no objection**
- 5) #1-2016 Peddler / Solicitor's License issued to SecuritiSmart Inc., Vincent Peone effective 1/25/16 to 1/25/17, canvassing for Residential Alarm Systems.

COUNCILMAN PALERMO

As liaison, attended meeting where the Fishers Fire District Commissioners approved a resolution to add four firefighters immediately, and are planning on approving another resolution in the summer for an additional four fire fighters, for a total of eight. All the Commissioners are eagerly waiting for the completion of the Townwide Public Safety Study.

Supervisor Marren advised that he has received inquiries from the Victor Fire Dept. also and reviewed the importance of having that study document that can help the town and various departments. Noted that the Chairperson of the Board of Commissioners has been very receptive and provided talking points in responding to correspondence that his office has received from residents questioning the increase for the tax for those residents in the Fishers Fire District.

COUNCILMAN TANTILLO

As liaison, met with the Highway Superintendent and relayed complimentary comments regarding the phenomenal job by staff plowing the roads.

RESOLUTION #59

HIGH POINT BUSINESS PARK, LOT 3, BUILDING 200, LETTER OF CREDIT, RELEASE 6

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

WHEREAS, High Point 200, LLC, received Planning Board approval for High Point Business Park, Lot 3, Building 200, 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. SB1720650001 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. 6 dated January 14, 2016 and recommends in his letter January 14, 2016 that \$71,579.13, 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. 6 on the M & T Bank Irrevocable Letter of Credit No. SB1720650001 in the amount of \$71,579.13, minus engineering and inspection fees, as recommended by the Town Engineer; and further

RESOLVED, that given said release, there now remains \$466,655.59 in said Letter of Credit; and further

RESOLVED, that a copy of this resolution be forwarded to the Engineer for the Town, Rainbros Associates, LLC and BME.

RESOLUTION #60

HIGH POINT BUSINESS PARK, HIGH POINT DRIVE EXTENSION (GRADING), LETTER OF CREDIT, RELEASE 2

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

WHEREAS, Rainbros Associates LLC, received Planning Board approval for High Point Business Park, High Point Drive Extension (Grading) 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. SB1836770001 was previously posted with the Town; and

(Resolution #60 con't)

WHEREAS, the Engineer for the Town has reviewed the Developer's Request for Release of Funds and Statement of Construction No. 2 dated January 16, 2016 and recommends in his letter January 14, 2016 that \$239,702.75, 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. 2 on the M & T Bank Irrevocable Letter of Credit No. SB1836770001 in the amount of \$239,702.75, minus engineering and inspection fees, as recommended by the Town Engineer; and further

RESOLVED that given said release, there now remains \$198,558.07 in said Letter of Credit; and further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, Rainbros Associates LLC, and BME Associates.

RESOLUTION #61

HISTORIC HIGH POINT RETAIL PHASE 3, LETTER OF CREDIT, RELEASE 8

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

WHEREAS, Historic High Point Phase 3 Retail, LLC, received Planning Board approval for Historic High Point Retail, Phase 3 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. SB1697870001 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. 8 dated January 14, 2016 and recommends in his letter January 14, 2016 that \$29,411.37, 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. 8 on the M & T Bank Irrevocable Letter of Credit No. SB1697870001 in the amount of \$29,411.37, minus engineering and inspection fees, as recommended by the Town Engineer; and further

RESOLVED, that given said release, there now remains \$59,934.75 in said Letter of Credit; and further

RESOLVED, that a copy of this resolution be forwarded to the Engineer for the Town, Historic High Point Retail, LLC and BME.

RESOLUTION #62

ACCEPTANCE OF LETTER OF CREDIT, LEHIGH CROSSING SUBDIVISION, LOT 12

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

WHEREAS, Bluestone Creek Development, LLC., received Planning Board approval for Lehigh Crossing Subdivision, Lot 12 with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, the Engineer for the Town reviewed the developer's estimate of construction costs which includes 10% contingencies, 10% developer's assurance and 4% Town Engineering fees in his letter dated October 13, 2015 and has recommended a Letter of Credit totaling \$34,480.99; and,

(Resolution #62 con't)

WHEREAS, Bluestone Creek Development, LLC. has submitted Five Star Bank Irrevocable Letter of Credit No. 70020517923 in favor of the Town of Victor in the amount of \$34,480.99 as recommended by the Town Engineer and is due to expire February 1, 2017; now, therefore, be it

RESOLVED that the Victor Town Board does hereby accept Five Star Bank Irrevocable Letter of Credit No. 70020517923 in the amount of \$34,480.99 with the condition that should this Letter of Credit not be renewed at least ten (10) days prior to its expiration date of February 1, 2017, the Town Clerk is authorized to draw the balance of this Letter of Credit and place said funds in an Escrow Account in the Town official depository until such time as the Engineer for the Town recommends dedication of the infrastructure and release of the remaining funds; and, be it further

RESOLVED that a copy of this resolution be forwarded to the Planning Board, Codes and Development, LaBella, BME Associates, and Bluestone Creek Development, LLC.

RESOLUTION #63

SILVERTON GLENN, SECTION 2, LETTER OF CREDIT, RELEASE NO. 5 (FINAL)

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

WHEREAS, S & J Morrell, Inc. received Planning Board approval for Silverton Glenn, Section 2 with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, Five Star Bank Irrevocable Letter of Credit No. 7002043064 was previously posted with the Town; and

WHEREAS, the Engineer for the Town has reviewed the Developers Request for Release of Funds Statement of Construction No. 5 (Final) dated November 13, 2015 and recommends in his letter January 14, 2016 that \$134,246.53 minus engineering and inspection fees and any other fees owed the Town be released from said letter of credit; now, therefore, be it

RESOLVED that the Victor Town Board hereby approves Release No. 5 (Final) on the Five Star Bank Irrevocable Letter of Credit No. 7002043064 in the amount of \$134,246.53 minus engineering and inspection fees and any other fees owed the Town as recommended by the Town Engineer; and, further

RESOLVED that given said release there now remains \$0.00 in said Letter of Credit after acceptance of the dedicated facilities in accordance with the Town Engineer's letter dated January 14, 2016; and, further

RESOLVED that a copy of this resolution be forwarded to the Engineer for the Town, S & J Morrell Inc., and BME Associates.

RESOLUTION #64

SILVERTON GLENN SUBDIVISION, SECTION 2 - ACCEPTANCE OF DEDICATION

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

WHEREAS S & J Morrell Inc., developer of Silverton Glenn Subdivision, Section 2, has offered to dedicate to the Town of Victor the portion of Wyndham Hill constructed in Silverton Glenn Subdivision, Section 2, as described in the right-of-way description and the associated sidewalks, sanitary sewer system, and the storm sewer system as set forth in the Town Engineer's letter of January 14, 2016 and

(Resolution #64 con't)

WHEREAS, the Engineer for the Town has indicated by letter dated January 14, 2016 that Wyndham Hill constructed in Silverton Glenn Subdivision, Section 2, as described in the right-of-way description and the associated sidewalks, sanitary sewer system, and the storm sewer system are acceptable to be dedicated to the Town; and,

WHEREAS, S & J Morrell Inc, has posted a Maintenance Bond No. 6844N in the amount of \$25,571.18 as recommended by the Town Engineer in a letter dated January 14, 2016 to be held for two (2) years after the acceptance of the dedicated facilities and roadway; now, therefore, be it

RESOLVED AS FOLLOWS:

1. That the Town of Victor hereby accepts dedication of Wyndham Hill roadway constructed in Silverton Glenn Subdivision, Section 2, as the same is known and is described in deeds of dedication to be executed by S & J Morrell Inc., a copy of which is on file in the Town Clerk's Office.
2. That the Town of Victor hereby accepts dedication of the portion of Silverton Glenn Subdivision, Section 2, as described in the right-of-way description and the associated sidewalks, sanitary sewer system, and the storm sewer system located within the right-of-way as they either lie within the dedicated right-of-way or the Town has previously been granted easements.
3. That the dedication of the said roadway and systems shall be effective upon the executed deeds being filed in the Ontario County Clerk's Office.

AND FURTHER RESOLVED that a copy of this resolution be forwarded to the Planning Dept., the Highway Superintendent, the Code Enforcement Officer, the Engineer for the Town, BME Associates, and S & J Morrell Inc.

RESOLUTION #65

ACCEPTANCE OF LETTER OF CREDIT, 7200 RAWSON ROAD FILL

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

WHEREAS, Russell P. Lefrois Bldrs., Inc., received Planning Board approval for 7200 Rawson Road Fill with the condition that a form of surety be submitted to cover the cost of improvements and infrastructure; and,

WHEREAS, the Engineer for the Town reviewed the developer's estimate of construction costs which includes 10% contingencies, 10% developer's assurance and 4% Town Engineering fees in his letter dated December 23, 2015 and has recommended a Letter of Credit totaling \$6,426.75; and,

WHEREAS, Russell P. Lefrois Bldrs., Inc. has submitted M & T Bank Irrevocable Letter of Credit No. SB1905240001 in favor of the Town of Victor in the amount of \$6,426.75 as recommended by the Town Engineer and is due to expire January 8, 2017; now, therefore, be it

RESOLVED that the Victor Town Board does hereby accept M & T Bank Irrevocable Letter of Credit No. SB1905240001 in the amount of \$6,427.75 with the condition that should this Letter of Credit not be renewed at least ten (10) days prior to its expiration date of January 8, 2017, the Town Clerk is authorized to draw the balance of this Letter of Credit and place said funds in an Escrow Account in the Town official depository until such time as the Engineer for the Town recommends dedication of the infrastructure and release of the remaining funds; and, be it further

RESOLVED that a copy of this resolution be forwarded to the Planning Board, Codes and Development, LaBella, BME Associates, and Russell P. Lefrois Bldrs., Inc.

RESOLUTION #66

AUTHORIZATION TO ENTER INTO AN INTER-MUNICIPAL AGREEMENT BETWEEN ONTARIO COUNTY AND THE TOWN OF VICTOR - DOG CONTROL SERVICES

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

WHEREAS, Ontario County, by contracting with the Ontario County Humane Society, Inc. (OCHS), makes services for enforcement of Article 7 of the Agriculture and Markets Law and enforcement of duly adopted local dog control ordinances available to participating municipalities in Ontario County; and

WHEREAS, the Town of Victor's current agreement with Ontario County expired on December 31, 2015; and

WHEREAS, the Town wishes to continue contracting with Ontario County for this service at a cost not to exceed Twenty Eight Thousand Five Hundred Nine dollars (\$28,509.00); now, therefore, be it

RESOLVED, that the Victor Town Board hereby authorizes the Supervisor to enter into an agreement with Ontario County for dog control services to be provided by the County to the Ontario County Humane Society, Inc. a duly incorporated society for the prevention of cruelty to animals at a cost not to exceed Twenty Eight Thousand Five Hundred Nine dollars (\$28,509.00) to be funded from A3510.400 Dog Control Contractual; and further

RESOLVED, that the term of this Agreement shall commence on January 1, 2016, and shall terminate on December 31, 2016; and, further

RESOLVED, that a copy of this resolution be forwarded to Karen R. DeMay, Clerk, Ontario County Board of Supervisors; Debra Denz, Town Clerk; and the Finance Dept.

RESOLUTION #67

ACCEPT DONATION FROM VICTOR GARDEN CLUB FOR GATEWAY SIGN PROJECT

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 Department of Parks and Recreation works cooperatively with the Victor Garden Club to design and maintain flower beds at the intersection of New York State Route 96 and Main Street Fishers / County Road 42; and

WHEREAS, the Town Supervisor, Director of Parks and Recreation, and members of the Victor Garden Club in cooperation with the New York State Department of Transportation have been developing a project that would bring a gateway sign and additional plantings to the northeast corner of the intersection to further the beautification of this area; and

WHEREAS, funding for the project is scheduled to come from the Town of Victor, the Victor Garden Club and through grants and donations; and

WHEREAS, the Victor Garden Club has donated Five Hundred Dollars (\$500.00) to the Town of Victor in support of this community project; and

WHEREAS, the Director of Parks and Recreation recommends that we accept and deposit this donation in support of this project; now, therefore be it

RESOLVED that the Town Board accepts the above sponsorship donations to be deposited in the 2015 budget line item A2001 Park and Recreational; and further

(Resolution #67 con't)

RESOLVED that a copy of this resolution be forwarded to Brian Emelson, Director of Parks and Recreation, Gloria Dunton, Fiscal Manager; Debra Denz, Town Clerk, and Mary Duprey, Victor Garden Club.

RESOLUTION #68

APPOINTMENT TO CHAIRMAN – HISTORIC ADVISORY COMMITTEE

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

RESOLVED, that Katie Coyne be appointed as Historic Advisory Committee Chair; and be it further

RESOLVED that a copy of this resolution be sent to Babette Huber, Debra Denz, Katie Coyne, Suzy Paquin, and Tina Kolaczyk.

RESOLUTION #69

AUTHORIZATION TO APPOINT ANN KING TO THE POSITION OF PART-TIME TYPIST – PLANNING & BUILDING DEPARTMENT

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

WHEREAS a part-time typist vacancy exists in the Town of Victor's Planning & Building Department; and

WHEREAS, the Town has the need to fill this part-time position; and

WHEREAS, the position is provided for in the Planning & Building Department's 2016 Operating Budget line B.3620.100 – Building Safety Inspection – Personal Services at a Grade 1, step C hourly rate salary of \$15.88/hour (Fifteen dollars and Eighty Eight cents); and

WHEREAS, Ann King has been a part-time substitute typist with the Town of Victor since 2008; and

WHEREAS, the Director of Development believes that Ann King, Victor, NY has the qualifications required for this position and is recommending her appointment to the Part-Time Typist position; now therefore, be it

RESOLVED, that Ann King be appointed to the position of Part-Time Typist for the Planning & Building Department at a Grade 1, step C hourly rate salary of \$15.88/hour (Fifteen dollars and Eighty Eight cents), and is to be funded from line B.3620.100 – Building Safety Inspection – Personal Services in the 2016 Operating Budget, with a starting date of January 1, 2016; and be it further

RESOLVED, that a copy of this resolution be forwarded to Katie Evans, Tina Kolaczyk, Gloria Dunton, Mary Lyng, Ann King, Debra Denz, and Ontario County Department of Human Resources.

RESOLUTION #70

AUTHORIZATION TO APPOINT CAROL A. MONTEVECCHIO TO THE POSITION OF PART-TIME TYPIST – PLANNING & BUILDING DEPARTMENT

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

WHEREAS a part-time typist vacancy exists in the Town of Victor's Planning & Building Department; and

WHEREAS, the Town has the need to fill this part-time position; and

(Resolution #70 con't)

WHEREAS, the position is provided for in the Planning & Building Department's 2016 Operating Budget line B.3620.100 – Building Safety Inspection – Personal Services at a Grade 1, step A hourly rate salary of \$14.83/hour (Fourteen dollars and Eighty Three cents), and

WHEREAS, several applications were received and several interviews were conducted by a committee consisting of Tina Kolaczyk (Human Resources), Katie Evans (Director of Development), and Ann King (Part-Time Typist); and

WHEREAS, this interview committee believes that Carol A. Montevecchio, Victor, NY has the qualifications required for this position and is recommending her appointment to the Part-Time Typist position; now therefore, be it

RESOLVED, that Carol A. Montevecchio be appointed to the position of Part-Time Typist for the Planning & Building Department at a Grade 1, step A hourly rate salary of \$14.83/hour (Fourteen dollars and Eighty Three cents), to be funded from line B.3620.100 – Building Safety Inspection – Personal Services in the 2016 Operating Budget, with a starting date of January 26, 2016; and be it further

RESOLVED, that a copy of this resolution be forwarded to Katie Evans, Tina Kolaczyk, Gloria Dunton, Mary Lyng, Carol A. Montevecchio, Debra Denz, and Ontario County Department of Human Resources.

RESOLUTION #71

AUTHORIZATION TO APPOINT THOMAS STIRONE TO THE POSITION OF BUILDING INSPECTOR FOR THE PLANNING & BUILDING DEPARTMENT

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

WHEREAS, Resolution #410 to Amend Resolution #207-15 Creation of Two Building Inspector Positions for the Town of Victor Planning & Building Department to One Building Inspector Position and One Code Enforcement Officer Position was adopted on December 28, 2015; and

WHEREAS, the Town has the need to fill the building inspector position at this time; and

WHEREAS, Thomas Stirone, Fairport, NY has been a Part-Time Seasonal Building Inspector for the Town of Victor since May 30, 2012, and has completed the Ontario County certifications and testing for the Building Inspector title and is on the Ontario County Building Inspector Certification List; and

WHEREAS, the Town wishes to appoint Thomas Stirone to the position of Building Inspector for the Town of Victor and

WHEREAS, this position is provided for in the Planning & Building Department's 2016 Operating Budget line B.3620.100 – Building Safety Inspection – Personal Services at a Grade 3, step E hourly rate salary of \$22.86/hour (Twenty Two dollars and Eighty Six cents); now therefore be it,

RESOLVED, that Thomas Stirone be appointed to the position of Building Inspector for the Planning & Building Department at a Grade 3, step E hourly rate salary of \$22.86/hour (Twenty Two dollars and Eighty Six cents) to be funded from line B.3620.100 – Building Safety Inspection – Personal Services in the 2016 Operating Budget; with a retroactive starting date of January 1, 2016; and be it further

RESOLVED, that a copy of this resolution be forwarded to Katie Evans, Tina Kolaczyk, Gloria Dunton, Mary Lyng, Thomas Stirone, Debra Denz, and Ontario County Department of Human Resources.

RESOLUTION #72

AMENDMENT TO RESOLUTION # 351-15 AUTHORIZATION TO ESTABLISH AND FUND HEALTH SAVINGS ACCOUNTS FOR TOWN OF VICTOR EMPLOYEES ENROLLED IN THE 2016 HIGH DEDUCTIBLE HEALTH PLAN (HDHP)

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

WHEREAS, Resolution #351-15 Authorization to Establish and Fund Health Savings Accounts for Town of Victor Employees enrolled in the 2016 High Deductible Health Plan (HDHP) was adopted on November 9, 2015; and

WHEREAS, after consultation with the Town's payroll processing vendor, ADP, the Finance Department wishes to change the funding of the Health Savings Accounts (HSA's) from a "pro-rated monthly basis" to a "per paycheck basis", effective on February 5, 2016; now, therefore be it further

RESOLVED that Resolution #351 be amended as follows:

AUTHORIZATION TO ESTABLISH AND FUND HEALTH SAVINGS ACCOUNTS FOR TOWN OF VICTOR EMPLOYEES ENROLLED IN THE 2016 HIGH DEDUCTIBLE HEALTH PLAN (HDHP)

WHEREAS, the Victor Town Board passed Resolution # 349 Authorization for the Town Supervisor to Enter Into a Contract With MVP to Provide Health Care Insurance For Town of Victor Employees and Retirees for 2016; and

WHEREAS, the Town Board has agreed to offer a High Deductible Health Plan (HDHP) as a health care option for current employees; **and**

WHEREAS, the HDHP has significantly lower premium costs than other plans, but has a \$3000.00 (Three Thousand dollars) per individual/\$6000.00 (Six Thousand dollars) family maximum out of pocket annual deductible; and

WHEREAS, the Town wishes to establish Health Savings Accounts (HSA) for all employees choosing to enroll in the 2016 High Deductible Health Plan (HDHP) option for 2016; and

WHEREAS, the estimated cost savings to the Town of Victor per employee choosing the HDHP option as compared to the Core Plan are:

<i>Plan Type for employees contributing 5% towards health care costs (hired before 1/1/2010)</i>	<i>Cost Savings to the Town Per Month Per Employee</i>	<i>Cost Savings to the Town Per Year Per Employee</i>
<i>Single</i>	\$219.28	\$2631.36
<i>2-Person</i>	\$493.42	\$5921.04
<i>Family</i>	\$577.21	\$6926.51

<i>Plan Type for employees contributing 25% towards health care costs (hired after 1/1/2010)</i>	<i>Cost Savings to the Town Per Month Per Employee</i>	<i>Cost Savings to the Town Per Year Per Employee</i>
<i>Single</i>	\$85.80	\$1029.60
<i>2-Person</i>	\$193.08	\$2316.96
<i>Family</i>	\$225.87	\$2710.44

And

WHEREAS, the Town Board would like to fund the 2016 Health Savings Accounts for Town employees electing the 2016 HDHP plan as follows:

<i>Plan Type</i>	<i>2016 HSA amounts for employees contributing 5% towards health care costs (hired before 1/1/2010)</i>	<i>2016 HSA amounts for employees contributing 25% towards health care costs (hired after 1/1/2010)</i>
<i>Single</i>	\$1,500.00	\$1,029.00
<i>2-Person</i>	\$3,000.00	\$2,316.00
<i>Family</i>	\$3,000.00	\$2,710.00

Now, therefore be it

RESOLVED, that the Town Board authorizes the establishment of Health Savings Accounts for Town employees enrolled in the 2016 High Deductible Health Plans (HDHP) for the following 2016 amounts:

<i>Plan Type</i>	<i>2016 HSA amounts for employees contributing 5% towards health care costs (hired before 1/1/2010)</i>	<i>2016 HSA amounts for employees contributing 25% towards health care costs (hired after 1/1/2010)</i>
<i>Single</i>	\$1,500.00	\$1,029.00
<i>2-Person</i>	\$3,000.00	\$2,316.00
<i>Family</i>	\$3,000.00	\$2,710.00

And be it further

RESOLVED, that the HSA accounts be loaded with the funded amount on a per paycheck basis, with the ability to request full HSA funding due to extreme medical necessity; and further

RESOLVED, that the Victor Town Board will re-evaluate the funding of HSA accounts for Town employees electing the HDHP Health Care option on an annual basis; and be it further

RESOLVED that a copy of this resolution be sent to all Town of Victor employees, Human resources, and the Finance Department.

RESOLUTION #73

AUTHORIZATION FOR SUPERVISOR TO ALLOCATE TOWN'S BUDGETED PORTION OF FUNDING TO VICTOR LOCAL DEVELOPMENT CORPORATION

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

WHEREAS, the Victor Local Development Corporation requested and was granted funding for 2016 in the 2016 budget; now therefore be it

RESOLVED, that the Supervisor be authorized to allocate funds to the Victor Local Development Corporation (VLDC), for their annual Town contribution to the VLDC, in the amount Eighteen Thousand One Hundred Fifty Dollars (\$18,150.00) from the 2016 budget line item A6420.410 Economic Development Local Development Corporation Contractual, to provide their services to the residents of the Town of Victor for the 2016 fiscal year; and further

RESOLVED, that a copy of this resolution be forwarded to Kathy Rayburn, Executive Director, VLDC and Town Finance Dept.

RESOLUTION #74

AUTHORIZATION FOR TOWN SUPERVISOR TO APPROVE CHANGE ORDER NO's. 5 - 7 TO THE RAMSEY CONSTRUCTORS CONTRACT FOR THE TOWN OF VICTOR HIGH STREET IMPROVEMENT PROJECT

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 awarded the bid and executed a contract for the reconstruction of High Street to Ramsey Constructors in an amount of Three Million Nine Hundred Fifty Seven Thousand Two Hundred Eighty Two dollars and Nine cents (\$3,957,282.09) on May 27, 2014 by Resolution 189-14 which is funded from H19.5110.200 High Street Capital Project Maintenance of Road Capital Outlay account; and

WHEREAS, the Town Board approved Change Orders No 1-3 by Resolution #330-15 on October 26, 2015 in an amount of One Hundred Fifty Five Thousand One Hundred Fifteen dollars and Twenty Five cents (\$155,115.25) for a revised construction cost of Four Million One Hundred Twelve Thousand Three Hundred Ninety Seven dollars and Thirty Four cents (\$4,112,397.34); and

WHEREAS, the Town Board approved Change Orders No 4 by Resolution #396-15 on December 14, 2015 in an amount of Forty Five Thousand Seven Hundred Sixty Seven dollars and Nineteen cents (\$45,767.19) for a revised construction cost of Four Million One Hundred Fifty Eight Thousand One Hundred Sixty Four dollars and Fifty Three cents (\$4,158,164.53); and

WHEREAS, LaBella Associates and the Project Manager are recommending Change Order No's. 5 - 7 to the Ramsey Constructors Contract to complete additional work required for the project to include the recommended changes by the Project Manager and Resident Engineer in the amount of Two Hundred Fifty Nine Thousand Two Hundred Sixty Two dollars and Eighteen cents (\$259,262.18) for a revised construction cost of Four Million Four Hundred Seventeen Thousand Four Hundred Twenty Six dollars and Seventy One cents (\$4,417,426.71), now therefore, be it

RESOLVED that the Town Supervisor be authorized to approve Change Order No's. 5 - 7 to the Ramsey Constructors Contract in the amount of Two Hundred Fifty Nine Thousand Two Hundred Sixty Two dollars and Eighteen cents (\$259,262.18) to be funded from H19.5110.200 High Street Capital Project Maintenance of Road Capital Outlay account for a revised construction contract amount of \$4,417,426.17; and further

RESOLVED that a copy of this resolution be forwarded to Mark Years, Highway Superintendent; Gloria Dunton, Fiscal Manager; Debra Denz, Town Clerk; Steven Metzger, LaBella Associates; and Chris Ramsey, Ramsey Constructors.

RESOLUTION #75

BOND RESOLUTION DATED JANUARY 25, 2016 OF THE TOWN BOARD OF THE TOWN OF VICTOR, NEW YORK, AUTHORIZING GENERAL OBLIGATION SERIAL BONDS TO FINANCE THE ACQUISITION OF EQUIPMENT, AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES IN CONTEMPLATION THEREOF, THE EXPENDITURE OF SUMS FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

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

RESOLVED by the Town Board of the Town of Victor, New York (hereinafter referred to as the "Town"), by the favorable vote of not less than two-thirds of all of the members of such Board, as follows:

Section 1. The Town of Victor shall undertake the acquisition of equipment as more specifically described in Section 3 hereof.

Section 2. The Town of Victor is hereby authorized to expend up to \$775,000 for such acquisition, and the Town is authorized to issue its General Obligation Serial Bonds in an aggregate principal amount up to \$775,000 pursuant to the Local Finance Law of the State of New York, in order to finance the class of objects or purposes described herein.

Section 3. The class of objects or purposes to be financed pursuant to this resolution (hereinafter described as "purpose") is the acquisition of various equipment, vehicles, machinery and apparatus.

Section 4. It is hereby stated that (a) the estimated maximum aggregate cost of said purpose, which may include preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$775,000, which amount is hereby appropriated therefor, (b) no money has heretofore been authorized to be applied to the payment of the cost of said purpose, and (c) the plan for financing of said purpose is to provide all of such maximum cost by issuance of debt obligations as herein authorized.

Section 5. It is hereby determined and declared that said purpose is one of the class of objects or purposes described in Subdivisions 28, 32 and 89 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is hereby restricted to five (5) years.

Section 6. The Town of Victor is hereby authorized to issue its Bond Anticipation Notes in an aggregate principal amount not to exceed \$775,000, pursuant to the Local Finance Law of New York, in order to finance the purpose in anticipation of the issuance of the above described Bonds.

Section 7. It is hereby stated that (a) there are presently no outstanding Bond Anticipation Notes issued in anticipation of the sale of said Bonds, (b) the Bond Anticipation Notes authorized by this resolution shall mature within one (1) year from the date of their issuance or such later date as may be desired in accordance with the Local Finance Law, (c) such Bond Anticipation Notes are not issued in anticipation of Bonds for an assessable improvement, (d) the proposed maturity of the obligations authorized by this resolution will not be in excess of five years to be measured from the date of the Bonds or from the date of the first Bond Anticipation Note issued in anticipation of the sale of the Bonds, whichever date is the earlier, and (e) prior to the issuance of the Bond Anticipation Notes or Bonds herein authorized there will be provided the appropriate amount of current funds required by Section 107.00 of the Local Finance Law, if any.

Section 8. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the Town and all the taxable real property in the Town is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to applicable statutory limitations, if any.

Section 9. It is hereby determined and declared that the Town reasonably expects to reimburse the general fund, or such other fund as may be utilized, not to exceed the maximum amount authorized herein, from the proceeds of the obligations authorized hereby for expenditures, if any, from such fund that may be made for the purpose prior to the date of the issuance of such obligations. This is a declaration of official intent under Treasury Regulation §1.150-2.

Section 10. The power to further authorize the sale, issuance and delivery of said bonds and notes and to prescribe the terms, form and contents of said bonds and notes, including without limitation, the authority to determine whether to accept bids electronically to the extent allowed by Section 58.00 of the Local Finance Law, the consolidation with other issues, the determination to issue bonds with substantially level or declining annual debt service, all contracts for, and determinations with respect to, credit or liquidity enhancements, if any, and to sell and deliver said bonds and notes, subject to the

provisions of this resolution and the provisions of the Local Finance Law, is hereby delegated to the Town Supervisor, the Town's chief fiscal officer.

The Town Supervisor and the Town Clerk or Deputy Clerk are hereby authorized to sign by manual or facsimile signature and attest any bonds and notes issued pursuant to this resolution, and are hereby authorized to affix to such bonds and notes the corporate seal of the Town of Victor.

Section 11. The faith and credit of the Town of Victor, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 12. This resolution, or a summary hereof, shall be published in full by the Town Clerk of the Town of Victor together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, and such publication shall be in each official newspaper of the Town, in the manner prescribed by law. The validity of said bonds and bond anticipation notes issued in anticipation of the sale of said serial bonds, may be contested only if such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or the provisions of law which should be complied with, at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 13. This resolution shall take effect immediately upon its adoption.

RESOLVED that copies of this resolution be forwarded by the Town Clerk to Bernard P. Donegan, Inc., Tim McGill, Esq., Boylan Code, LLP; Debra Denz, and to the Fiscal Manager.

RESOLUTION #76

ACCEPTANCE OF DRAFT ACTION SHEETS FOR INCLUSION IN THE UPDATED ONTARIO COUNTY MULTI-JURISDICTIONAL ALL HAZARD MITIGATION PLAN

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 Town of Victor is participating in the update of the Ontario County Multi- Jurisdictional All Hazard Mitigation Plan; and

WHEREAS, said update shall include steps for implementation to occur in the Town of Victor , as described in the draft action worksheets presented to the Victor Town of Board; and

WHEREAS, the Victor Town Board has reviewed the draft action worksheets and has determined that the described actions are necessary to reduce the potential for negative impacts from future flooding and other likely disasters; now therefore be it,

RESOLVED, that the Victor Town Board hereby accepts the draft action sheets and determines that they are suitable for inclusion in the updated Ontario County Multi- Jurisdictional All Hazard Mitigation Plan; and further

RESOLVED, that a copy of this resolution be forwarded to the Town Clerk, Director of Development, and the Fire Marshal.

RESOLUTION #77

APPROVAL OF ACQUISITION OF AN EASEMENT BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW – 7200 STATE ROUTE 96

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

(Resolution #77 con't)

WHEREAS, the Monroe County Water Authority ("Authority") is responsible for the existing water main that provides water service to 7200 State Route 96, 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 7200 State Route 96 (Tax Acct. No. 15.00-1-28.100), which is owned by 7200 PV Road, LLC and is approximately 792' 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 property located at 7200 State Route 96, Tax Acct. No. 15.00-1-28.100 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 Brownlie, 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 #78

APPROVAL OF ACQUISITION OF EASEMENTS BY THE MONROE COUNTY WATER AUTHORITY PURSUANT TO §1096(6-a) OF NEW YORK'S PUBLIC AUTHORITIES LAW – 6390 PLASTERMILL ROAD

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

WHEREAS, The Monroe County Water Authority (the "Water Authority") intends to construct a pressure reducing valve/vault (the "Project") to reduce the water system pressure in the vicinity of the Gypsum Mills Estates and the Villas of Victor; and

WHEREAS, the acquisition of one (1) 30-foot wide easement and one (1) variable-width temporary easement by the Water Authority is necessary for the construction, installation, operation, and maintenance of the Project; and

WHEREAS, the easements necessary for the Project are located along the north side of Plastermill Road, on the property known as 6390 Plastermill Road (approximately 200 feet long along Plastermill Road west of Gypsum Mills Street), having Tax Account No. 16.00-1-37.111 owned by Gypsum Mills West MHC LLC as shown on Schedule "A"; and,

WHEREAS, this acquisition is necessary to allow the completion of the construction, installation, operation, and maintenance of the Project which will provide potable water supply and fire protection to the District's property owners and the property owner has agreed to voluntarily grant the easements to the Water Authority; and

(Resolution #78 con't)

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

RESOLVED, that the Town hereby approves of the Water Authority's voluntary acquisition of one (1) permanent easement and one (1) temporary easement over property located at 6390 Plastermill Road, Tax Account No. 16.00-1-37.111 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 Brownlie, 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 #79

ORDER FOR PUBLIC HEARING TO ESTABLISH THE "DUTCH ROAD CORPORATION SEWER DISTRICT" AND CONSOLIDATE IT INTO THE VICTOR CONSOLIDATED SEWER DISTRICT

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 Town Board of the Town of Victor ("the Town") has received a Map, Plan and Report (the "MPR") requesting an extension to the Town of Victor Consolidated Sewer District (the "Sewer District") into two parcels, including a parcel at 788 Old Dutch Road, tax account # 14.02-01-1.211, and as well as a portion of a parcel at tax account # 14.00-01-51.1 (the proposed extension to the Sewer District is hereinafter referred to as the "Dutch Road Corporation Sewer District"); and

WHEREAS, given the nature of the MPR and the policy and practice of the Town of Victor with respect to sewer districts, the MPR will be treated as and has been converted to one for the establishment and consolidation of the Dutch Road Corporation Sewer District into the Victor Consolidated Sewer District; and

WHEREAS, simultaneous with its establishment, the Town of Victor will cause the Dutch Road Corporation Sewer District to be consolidated into the Town of Victor Consolidated Sewer District, so as to eliminate the additional administrative burden and costs associated with the operation of multiple sewer districts; and

WHEREAS, the boundaries of the Dutch Road Corporation Sewer District comprise a parcel at 788 Old Dutch Road, tax account # 14.02-01-1.211, and as well as a portion of a parcel at tax account # 14.00-01-51.1, the specific metes and bounds legal description being set forth in the MPR referred to herein and available for public inspection at the Victor Town Clerk's Office; and

WHEREAS, the proposed improvements include: infrastructure, including an 8 inch sanitary sewer main as well as a 4 inch lateral; and

WHEREAS, the maximum amount proposed to be expended by the Town for the Dutch Road Corporation Sewer District and associated improvements is the sum of zero dollars (\$0.00), as the applicant will pay for the capital cost thereof; and

WHEREAS, since there will be no capital cost to the Town for the Dutch Road Corporation Sewer District, no financing will be employed and it is therefore not necessary to obtain the approval of the New York State Comptroller's Office; and

(Resolution #79 con't)

WHEREAS, simultaneous with the establishment of the Dutch Road Corporation Sewer District, it shall be consolidated into the Victor Consolidated Sewer District as more fully described in the "Proposed Joint Consolidation Agreement for the Town of Victor Consolidated Sewer District and the Dutch Road Corporation Sewer District," (the "Agreement") adopted by the Victor Town Board on December 14, 2015; and

WHEREAS, a descriptive summary of the Agreement follows:

The current Town of Victor Consolidated Sewer District and the Dutch Road Corporation Sewer District (as proposed and described in the MPR referred to herein) will be consolidated so that the area and infrastructure of the Dutch Road Corporation Sewer District is added and consolidated into the Victor Consolidated Sewer District. The consolidation will eliminate the annual need for additional expenses in the administrative oversight of multiple sewer districts. The existing debt of the Victor Consolidated Sewer District will be spread across the newly consolidated Victor Consolidated Sewer District. This consolidation will not be effective unless and until the Dutch Road Corporation Sewer District is fully established in compliance with NY Town Law.

And, WHEREAS, after establishment and consolidation into the Victor Consolidated Sewer District, the capital cost to the typical residential property will be approximately \$78.24, annually, and the capital cost to the typical commercial property will be approximately \$376.30, annually, and the capital cost to those properties added into the Town of Victor Consolidated Sewer District by operation of this action (i.e., those properties within the area formerly referred to as the Dutch Road Corporation Sewer District) will be in accordance with the formula established by the Town Board as set forth in the Victor Town Code at Chapter 162, and this action will not significantly change the costs for residential or commercial properties; and

WHEREAS, maintenance and operation charges will be calculated as more specifically set forth in the Victor Town Code at Chapter 162; and

WHEREAS, a hook-up fee will be charged in accordance with Chapter 162 of the Victor Town Code; and

WHEREAS, the MPR describing the Dutch Road Corporation Sewer District, and the Agreement, are both on file in the office of the Town Clerk where they are available for public inspection; now, therefore be it

ORDERED and RESOLVED, that, pursuant to Article 12 of the Town Law, the Town Board of the Town of Victor, shall meet at the Town Hall, 85 East Main Street, Victor, New York, on the 8th day of February, 2016, at 7:30 p.m. for the purpose of conducting a public hearing on the proposal to create the Dutch Road Corporation Sewer District as well as the simultaneous consolidation of the Dutch Road Corporation Sewer District into the Town of Victor Consolidated Sewer District, at which time and place all persons interested in the subjects thereof may be heard; and be it further

ORDERED and RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to duly publish and post a copy of this Order in the official Town newspaper, on the bulletin board in the office of said Town Clerk, and on the Town website not less than ten (10) days before and not more than twenty (20) days before the public hearing date as is required by Town Law and complete or arrange for the securing of Affidavits of Publication of Notice and Affidavits of Posting Notice of Public Hearing.

RESOLUTION #80

ADOPTION OF PROPOSED JOINT CONSOLIDATION AGREEMENT FOR THE WATER DISTRICT EXTENSION FOR PROPERTIES ON COUNTY ROAD 9, LYNAUGH ROAD AND STATE ROUTE 96

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

(Resolution #80 con't)

WHEREAS, the Town Board of the Town of Victor ("the Town") has directed that the Town Engineer create a Map, Plan and Report for the creation of the Water District Extension for Properties on County Road 9, Lynaugh Road and State Route 96 (sometimes referred to herein as the "County Road 9 Water District"); and

WHEREAS, the Town Engineer has provided said Map, Plan and Report (the "MPR"), which is now on file in the Town Clerk's Office, dated January 2016, and notated as prepared by Labella Associates; and

WHEREAS, the boundaries of the County Road 9 Water District comprise lands at the corner of Lynaugh Road and East Main Street, lands on County Road 9 adjacent to the NY State Thruway, and lands on County Road 9 south of Kensington Court, the metes and bounds description of which is set forth in the MPR; and

WHEREAS, simultaneous with its establishment, the Town of Victor will cause the Water District Extension for Properties on County Road 9, Lynaugh Road and State Route 96 to be consolidated into the Town of Victor Central Water District, so as to eliminate the additional administrative burden and costs associated with the operation of multiple Water Districts; now, therefore be it

RESOLVED, that pursuant to New York General Municipal Law Article 17-A, the Victor Town Board, acting jointly as the governing body of the Town of Victor Central Water District as well as the governing body of the proposed Water District Extension for Properties on County Road 9, Lynaugh Road and State Route 96, hereby adopts the attached "Proposed Joint Consolidation Agreement between the Victor Central Water District and the Water District Extension for Properties on County Road 9, Lynaugh Road and State Route 96" (the "Agreement"), which Agreement is on file with the Victor Town Clerk for public viewing; and be it further

RESOLVED, that the Town Board hereby authorizes and directs the Town Clerk to duly post a copy of the Agreement at the Victor Town Hall, publish a summary of the Agreement in the official Town newspaper once a week for four consecutive weeks, and publish a copy of the Agreement on the official Town of Victor website; and be it further

RESOLVED, that pursuant to Article 17-A of the Town Law, the Town Board of the Town of Victor shall meet at the Town Hall, 85 East Main Street, Victor, New York, on April 11, 2016, at 7:30 p.m. for the purpose of conducting a public hearing on the proposal to create and consolidate the Water District Extension for Properties on County Road 9, Lynaugh Road and State Route 96 with the Victor Central Water District, at which time and place all persons interested in the subject thereof may be heard concerning the same.

PUBLIC COMMENT

Supervisor Marren called for comment.
No public comment.

RESOLUTION #81

MOVE TO EXECUTIVE SESSION

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

RESOLVED that the Victor Town Board enter into Executive Session for the proposed acquisition/sale/lease of real property when publicity might affect value. Town Board members, Town Clerk Debra Denz, Town Attorney David Hou, Commercial Realtor Vince Pettrone, Parks & Recreation Director Brian Emelson, Highway Superintendent Mark Years, Steve Metzger, Tim Weber and Mark Hall to attend. No Town Board action to take place following the Executive Session

Time: 8:05 PM

RESOLUTION #82

RE-OPEN OPEN MEETING

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

RESOLVED that the open meeting of the Victor Town Board be reconvened. Time: 9:17 PM.

On motion of Councilman Crowley, seconded by Councilman Tantillo, the meeting was adjourned at 9:17 PM.

Respectfully submitted, _____ Debra J. Denz, Town Clerk