

A regular meeting of the Victor Town Board was held on April 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; Steve Metzger, Town Engineer; Scott Hopkins, Bonnie Waters, Tim Brown, Kim Kinsella, Dave Knapp, Kent Kiikka, Sue Stehling, Bill Stehling, Neil Stein, Jason Cline, Spencer Read, Rick Mitchell, and Dave Nankin

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) Announced April Employee birthdays.

The flag was saluted.

RESOLUTION #147

APPROVAL OF MINUTES

On motion of Councilman Guinan, 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 March 14, 2016 be approved.

RESOLUTION #148

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 #7 in the amount of \$381,704.89. Documentation for these expenditures can be found on vouchers filed by numbers 20160639 to 20160747.

A- General Townwide	\$135,428.62
B- General Outside Village	\$1,704.48
DB – Highway Townwide	\$32,245.32
H19 –High Street Capital Improvement Project	\$47.50
H22 Acquisition of Equipment	\$171,447.80
SS – SS Consolidated Sewer Fund	\$19,398.88
TA –Trust & Agency	\$21,432.29

Supervisor Marren reviewed each of the six large expenses that were included in Manifest #7.

PRIVILEGE OF THE FLOOR

Jason Cline, 1308 East Victor Rd., reviewed that he would like to add a garage, deck and pool to his property which is located in a Light Industrial Zoning District and made a request to the ZBA. The ZBA has referred him to the Town Board. Mr. Cline advised that from his research, his property was included in the Light Industrial District when it was rezoned 36 years ago from Residential. He requested that the section that includes his property be rezoned back to residential.

PRIVILEGE OF THE FLOOR-Jason Cline (con't)

Town Board discussion followed. Councilman Tantillo, the TB Liaison summarized that with the rezoning years ago to Light Industrial, there were four properties that were "grandfathered" in. The language in the Town Code does not allow for any changes to those residences. He reviewed options for the Town Board to consider in response to this request. Atty. David Hou clarified Town law, the language in the Town Code, the interpretation received from the Zoning Board of Appeals and questions from the Town Board. After lengthy discussion, Atty. Hou was directed by the Town Board to research changing the Non-Conforming Use language that is in the Town Code relating to "grandfathered" residential properties located in Light Industrial Districts. In response to Mr. Cline's question regarding the time frame for Town Board determination relating to 60 day application fee to Zoning Board of Appeals, Town Board supported waiving a ZBA application fee if Mr. Cline needs to reapply.

PUBLIC COMMENT

Timothy Brown, 1249 Cork Rd.,

1) Concerned with report at 3/28/16 meeting regarding compost piles at the Village Farmers Market. He felt it was a bad idea. (Supervisor Marren clarified that this related to a company that would like to do business with the Village providing a service for residents for delivery of their material for composting at the Farmers Market).

2) Concerned with the Joint Town & Village Board meeting scheduled at the last meeting regarding a petition for annexation. Questioned if it was relating to the Gullace project and concerned that the developer may feel that the Village Board approval would be easier.

RESOLUTION #149

MOVE TO SCHEDULED PUBLIC HEARING

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

PUBLIC HEARING

2010 SPECIAL ASSESSMENT ROLL

Public Hearing was opened at 7:30 PM.

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

Supervisor Marren advised that this is a project completed by Monroe County Water Authority. Years ago this was a capital project identified by the Town Engineer. The cost is spread among all the users throughout the entire district, rather than just the Town of Victor residents. This improves water pressure and fire protection. He then called for comments.

No one wished to comment.

Public Hearing closed 7:37 PM

RESOLUTION #150

RE-OPEN REGULAR MEETING OF THE VICTOR TOWN BOARD

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 reconvened.

TOWN OFFICIALS

Steve Metzger, Town Engineer reviewed and presented an overview of the Map, Plan and Report for the Town of Victor Drainage Improvement Area prepared by LaBella working with the Drainage Committee. He clarified questions from the Town Board and stated that properties outside of boundaries of the Drainage Improvement map and future developments would be handled through development of another Map, Plan and report and the establishment of another Drainage Improvement area. For future projects, this would be undertaken by the developer's engineer as part of their application, similar to sewer or water district extensions. Regarding the criteria that developers will be required to follow for future development, Mr. Metzger advised that developing a list of priority projects and the design criteria and standards are next steps for the Drainage Committee to work on.

SUPERVISOR

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

- 1) Following the parade and ceremony at the Village Hall for Memorial Day, May 30th, the Cemetery Committee conducting a brief ceremony by Cole & Parks/Burger King, Rowley Rd.
- 2) Appointed Councilman Palermo to the position of Deputy Town Supervisor.

SUBMITTED REPORTS

Highway
Historian
Atty.

COMMENTS ON SUBMITTED REPORTS

Councilman Crowley commented regarding the Pinnacle Athletic Campus information included in the Supervisor's report, mentioned that the weekend of May 14-15, they will be hosting an AU Basketball Tournament and several of our Victor athletics will be participating.

TOWN CLERK

Debra Denz reported:

1. Correspondence received from the secretary for the Zoning Board of Appeals advising of a public hearing scheduled for 4/18/16 for an area variance from property owners at 7126 Valentown Rd. As the property for the requested variance for a proposed outbuilding is located within 500 feet of a water tank owned by the Town of Victor, comments or objections are being requested from the Town Board as property owner. **Note: The Town Board had no comments or objections.**
2. 30-Day Advanced Notice received from Cobblestone Creek Country Club, Inc. advising of their application to the NYS Liquor Authority for a renewal of License #3122985 Liquor, Wine & Beer license for their location at 100 Cobble Creek Rd.
Note: The Town Board had no comments or objections.
3. Email correspondence received from Gloria Dunton, Finance Dept. with supporting documentation for stopped payments and voided and reissued checks for vouchers 20142987 \$73.50 dated 12/22/14, 20151248, \$121.00 6/22/15, 20152585 \$10.00 11/23/15, 20152383 \$16.60 10/26/15, 20152458 \$40.00 11/09/15, 20152876 \$294.00 12/28/15 to be filed with original vouchers.
4. Town Clerk's report for the month of March, 2016 was distributed and is available for review in the Town Clerk's office.

COUNCILMAN PALERMO

Updated from attending the Historic Advisory Committee meeting, six candidates selected for Historic Plaque Presentation, Town Historian will conduct several presentations at Town Hall for 2nd graders, and 4th graders for Homespun Days at VCS. They are working on the Fishers Cobblestone and the School Street pump house restoration. School Street pump house funded by grant, Fishers pump house, funding is through NYS Historic Preservation Improvement Fund, and Town budget accounts from 2015 and 2016.

COUNCILMAN TANTILLO

A Communication Workshop is scheduled for Monday, May 2, 2016 from 6-7 PM at the Town Hall to solicit public input. The Parks & Recreation Citizens Advisory Committee and possibly members of the ZBA are to participate.

RESOLUTION #151

ACCEPTANCE OF LETTER OF CREDIT, LEHIGH CROSSING, SECTION 2

On motion of Councilman Tantillo, seconded by Councilman Crowley, 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, Section 2 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 12, 2015 and has recommended a Letter of Credit totaling \$831,226.53; and,

WHEREAS, Bluestone Creek Development, LLC. has submitted Five Star Bank Irrevocable Letter of Credit No. 7002054929 in favor of the Town of Victor in the amount of \$831,226.53 as recommended by the Town Engineer and is due to expire April 1, 2019; now, therefore, be it

RESOLVED that the Victor Town Board does hereby accept Five Star Bank Irrevocable Letter of Credit No. 7002054929 in the amount of \$831,226.53 with the condition that should this Letter of Credit not be renewed at least ten (10) days prior to its expiration date of April 1, 2019, 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 #152

AUTHORIZATION FOR PURCHASE OF COPY PAPER - TOWN HALL, COURTS, PARKS & RECREATION, RECYCLING DEPARTMENT, STORMWATER AND HIGHWAY DEPARTMENTS

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 Clerk, Courts, Parks and Recreation, Recycling Department, and Highway Department have reviewed and estimated their copy paper needs for the remainder of 2016 and funds for these expenditures are included in the 2016 Budget; and

(Resolution #152 con't)

WHEREAS, the Town Clerk has received the following quotes for One Hundred Fifty (150) Cases of 8 1/2 x 11" USA copy paper:

Crystal Rock	\$28.99 per case- Delivered/Stocked Basement
Gholkar's Inc.	\$35.75 per case- Delivered/Stocked Basement

These are the only (2) two vendors that would stock in our basement

And

WHEREAS, the Town Clerk has reviewed the quotes and recommends that the copy paper be purchased from Crystal Rock, 860 Maple Street Rochester, NY, for 8 1/2 x 11" USA copy paper at a cost of Twenty Eight dollars and Ninety Nine cents (\$28.99) per case for a total of Four Thousand Three Hundred Forty Eight Dollars and Fifty Cents (\$4,348.50); now, therefore, be it

RESOLVED, that the Town Board authorizes the Town Clerk to purchase One Hundred Fifty (150) cases of copy paper for the Town Hall, Court, Highway Department, and Parks and Recreation in an amount not to exceed Four Thousand Three Hundred Forty Eight dollars and Fifty cents (\$4,348.50) from Crystal Rock, 860 Maple Street Rochester, NY, said funds are included and available in the 2016 Budget lines as follows:

DEPARTMENT	QUANTITY	ACCOUNT	COST
Highway	6 cases	A5132.400 Highway Superintendent Contractual	\$173.94
Recycle	6 cases	A8160.400 Refuse & Garbage Contractual	\$173.94
Parks & Recreation	14 cases	A7021.400 Parks & Recreation Department Contractual	\$405.86
Storm Water	3 cases	A8140.400 Storm Water	86.97
Town Hall	107 cases	A1670.400 Central Mail & Print Contractual	3,101.93
Town Court	14 cases	A1110.400 Justice Contractual	\$405.86

and further

RESOLVED, that a copy of this resolution be forwarded to Roxann Ammerman, the Highway Department, Recycle Department, Courts, Parks and Recreation Department, Town Clerk, Finance Department, and Crystal Rock.

RESOLUTION #153

AUTHORIZATION FOR TOWN SUPERVISOR TO ENTER INTO A CONTRACT WITH THE ONTARIO COUNTY YOUTH BUREAU FOR FUNDING OF THE VICTOR PARKS AND RECREATION "COUNSELOR IN TRAINING" PROGRAM

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 Ontario County Youth Bureau has recommended the approval of the Victor Parks and Recreation's "Counselor in Training" Program, which has also been approved by the New York State Office of Children and Family Services; and

WHEREAS, Ontario County wishes to enter into a one-year contract with the Town of Victor, from January 1, 2016 through December 31, 2016, to provide funding not to exceed One Thousand Seven Hundred Fifty Five dollars (\$1,755.00) for the Victor Parks and Recreation's Counselor in Training program; now, therefore be it

(Resolution #153 con't)

RESOLVED that the Town Board authorizes the Town Supervisor to enter into a contract with Ontario County who will provide funding not to exceed One Thousand Seven Hundred Fifty Five dollars (\$1,755.00) for the Victor Parks and Recreation's Counselor in Training program; and be it further

RESOLVED that a copy of this resolution be sent to The Ontario County Youth Board, Brian Emelson, Director of Parks & Recreation; Town Clerk, Finance Office, and Human Resources.

RESOLUTION #154

APPOINTMENT OF GERALD SENSABAUGH AS DEPUTY EMERGENCY MANAGER FOR THE TOWN OF VICTOR COMPREHENSIVE EMERGENCY PLAN COMMITTEE

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 November 23, 2015 the Town Board adopted Resolution #370-15 - Adopt Local Law # ___ to amend the Victor Town Code at Chapter 100 "Emergency Management Plan" in order to revise provisions related to the constitution of the Comprehensive Emergency Management Plan Advisory Board, which added a Deputy Emergency Manager position that must be Village Resident; and

WHEREAS, the Village of Victor Board of Trustees approved the addition of a Deputy Emergency Manager to the Comprehensive Emergency Management Plan Committee (CEMP) on October 5, 2015; and

WHEREAS, the Village of Victor Board of Trustees appointed Gerald Sensabaugh, Victor, NY to the CEMP Committee as the Deputy Emergency Manager by Village Resolution #35-16, and

WHEREAS, the Victor Town Board also approves the appointment of Gerald Sensabaugh to the position of Deputy Emergency Manager for the Comprehensive Emergency Management Plan Committee (CEMP) for a one year term beginning on April 4, 2016 and ending on April 3, 2017; now, be it further

RESOLVED that the Victor Town Board approves the appointment of Gerald Sensabaugh, Victor, NY to the Comprehensive Emergency Management Plan Committee (CEMP) for a term beginning on April 4, 2016 and ending on April 3, 2017, Committee as the Deputy Emergency Manager and be it further

RESOLVED that a copy of this resolution be sent to Gerald Sensabaugh, Village Clerk, Robert Graham, CEMP Emergency Manager; Town Clerk, Finance Office, and Human Resources.

RESOLUTION #155

APPOINTMENT OF WILLIAM STEHLING TO THE BOARD OF ETHICS

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

WHEREAS, Jennifer Smith resigned her position on the Victor Board of Ethics, effective December 22, 2015; and

WHEREAS, the Victor Town Board wishes to thank Jennifer Smith for her hard work, dedication, and her eight years of service on this committee; and

WHEREAS, the position was advertised, applications were received, and interviews with the candidates were conducted on March 17, 2016 by Pat Palomaki, Timothy Brown, Julie Bielecki, and Kevin Merriman; and

WHEREAS, the interview committee is recommending William Stehling to fill the remainder of the term vacated by Jennifer Smith, to begin on April 12, 2016 and ending on December 31, 2018; now, therefore be it

(Resolution #155 con't)

RESOLVED that the Victor Town Board appoints William Stehling to the Board of Ethics to fill the remainder of the term vacated by Jennifer Smith, to begin on April 12, 2016 and ending on December 31, 2018; and be it further

RESOLVED that a copy of this resolution be sent to William Stehling, Pat Palomaki, Board of Ethics Chair; Town Clerk, Confidential Secretary to the Town Supervisor, and Human Resources.

RESOLUTION #156

AUTHORIZATION TO APPOINT MARTHA O'DONNELL TO THE POSITION OF PART-TIME
SUBSTITUTE TYPIST

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 Town of Victor has a need to maintain Part-Time Substitute Typists on call for all Town offices in order to cover personnel absences and seasonal increased staffing needs; and

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

WHEREAS, the Ontario County Department of Human Resources has now classified this Civil Service position for the Town of Victor; and

WHEREAS, the position is provided for in several Town department 2016 Operating Budgets at a Grade 1, step A hourly rate of Fourteen dollars and Eighty Three cents (\$14.83)/hour; and

WHEREAS, interviews were held on February 19, 2016 and on March 1, 2016 for interested candidates who were interviewed by Katie Evans, Director of Development; Ann King, Part Time Typist; and Tina Kolaczyk, Human Resources; and

WHEREAS, it was decided by the interview team that Martha O'Donnell possessed the qualifications necessary to fill this position; now, therefore be it

RESOLVED, that Martha O'Donnell be appointed to the position of Part-Time Substitute Typist for the Town of Victor at a Grade 1, step A hourly rate salary of Fourteen dollars and Eighty Three cents (\$14.83)/hour, and is to be funded from the Personal Services line items (Department-dependent) in the 2016 Operating Budget, with a starting date retroactive back to April 5, 2016; and be it further

RESOLVED, that a copy of this resolution be forwarded to Debra Denz, Tina Kolaczyk, Mary Lyng, Katie Evans, Martha O'Donnell, and Ontario County Department of Human Resources.

RESOLUTION #157

CREATION OF ONE PART-TIME TEMPORARY BUILDING INSPECTOR POSITION FOR THE TOWN
OF VICTOR 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, the Planning & Building Department has the need for one additional Part-Time Temporary Building Inspector position due to increase in the volume of Planning & Building Department activities, personnel absences, and timely customer service requirements; and

WHEREAS, the Ontario County Department of Human Resources has now classified this Civil Service position for the Town of Victor; now, therefore be it

(Resolution #157 con't)

RESOLVED that one Part-Time Temporary Building Inspector position be created for the Planning & Building Department at a Grade 3, Step C pay level, with a salary of Twenty One dollars and Forty Four cents (\$21.44)/hour to be funded from line B.3620.100 Building –Safety Inspection Personal Services; and be it further

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

RESOLUTION #158

AUTHORIZATION TO APPOINT PHILLIP D'ALLESANDRO TO THE POSITION OF PART-TIME TEMPORARY BUILDING INSPECTOR

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 Planning & Building Department has the need for one additional Part-Time Temporary Building Inspector position due to the increase in the volume of Planning & Building Department activities, personnel absences, and timely customer service requirements; and

WHEREAS, the Ontario County Department of Human Resources has now classified this Civil Service position for the Town of Victor; and

WHEREAS, the Town of Victor Human Resources Department solicited towns in Monroe County regarding the availability of utilizing one of their Part-Time Building Inspectors to temporarily help out the Town of Victor; and

WHEREAS, the Town of Penfield has graciously agreed to help out the Town of Victor by providing them with the name of their Part-Time Building Inspector, Phillip D'Alessandro; and

WHEREAS, Katie Evans, Director of Development; Kim Kinsella, Development Coordinator; Al Benedict, Code Enforcement Officer; and Tina Kolaczyk, Human Resources, interviewed Phillip on April 1, 2016, and are recommending that he be appointed to this position; now, therefore be it

RESOLVED that Phillip D'Alessandro be appointed as the Part-Time Temporary Building Inspector for the Planning & Building Department with a starting date of April 11, 2016, at a Grade 3, Step C pay level, with a salary of Twenty One dollars and Forty Four cents (\$21.44)/hour to be funded from line B.3620.100 Building –Safety Inspection Personal Services; and be it further

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

RESOLUTION #159

CREATION OF TWO PART-TIME MOTOR EQUIPMENT OPERATOR POSITIONS FOR HIGHWAY/RECYCLE DEPARTMENTS

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 Highway/Recycle Departments wish to create two Part-Time Motor Equipment Operator positions due to the need for additional Motor Equipment Operator capabilities in order to cover personnel absences; and

WHEREAS, the Ontario County Department of Human Resources has now classified these Civil Service positions for the Town of Victor; now, therefore be it

(Resolution #159 con't)

RESOLVED that two Part-Time Motor Equipment Operator positions be created for the Highway/Recycle Departments at a Grade 4, Step A pay level, salary of Twenty Two dollars and Twenty Seven cents (\$22.27)/hour and are to be funded from line A. 8160.100 Refuse & Garbage Personnel Services, and DB.5110.100 (summer)/DB.5142.100 (winter) General Repairs/Snow Removal Personal Services in the 2016 Operating Budget; and be it further

RESOLVED that a copy of this resolution be forwarded to Mark Years, Tina Kolaczyk, Finance Dept., Debra Denz, and Ontario County Department of Human Resources.

RESOLUTION #160

ACKNOWLEDGEMENT OF THE APPOINTMENT OF ADAM BLANC TO THE POSITION OF PART-TIME MOTOR EQUIPMENT OPERATOR FOR THE TRANSFER STATION/RECYCLE 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, the Transfer Station/Recycle Department has the need to fill a Part-Time Motor Equipment Operator position due to the need for additional Motor Equipment Operator capabilities in order to cover personnel absences; and

WHEREAS, the Ontario County Department of Human Resources has now classified this Civil Service position for the Town of Victor; and

WHEREAS, the Highway Superintendent has identified Adam Blanc, Part-Time Laborer, as a candidate for a Part-Time Motor Equipment Operator position; and

WHEREAS, Adam Blanc was appointed as a Part-Time Laborer position on March 14, 2016 by Resolution #119-16; and

WHEREAS, Adam Blanc will be performing a dual role as both as a Part-Time Laborer and a Part-Time Motor Equipment Operator, dependent on the job duties he is assigned; now, therefore be it

RESOLVED that Adam Blanc be appointed to the Part-Time Motor Equipment Operator position for the Highway/Recycle Departments at a Grade 4, Step A pay level, salary of Twenty Two dollars and Twenty Seven cents (\$22.27)/hour for the time that he is performing Motor Equipment Operator duties, to be funded from line A.8160.100 Refuse & Garbage Personnel Services 2016 Operating Budget; and be it further

RESOLVED that a copy of this resolution be forwarded to Adam Blanc, Mark Years, Ken Wilson, Human Resources, Finance Dept., Debra Denz, and Ontario County Department of Human Resources.

RESOLUTION #161

CREATION OF DEPUTY HIGHWAY SUPERINTENDENT POSITION FOR THE TOWN OF VICTOR HIGHWAY/RECYCLE DEPARTMENT

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 position of Deputy Highway Superintendent was abolished by Resolution# 66-15 effective on January 1, 2015; and

WHEREAS, the Victor Town Board has allocated funds in the 2016 Operating Budget for the Deputy Highway Superintendent position, has worked with the Highway Superintendent to evaluate the need for the Deputy Highway Superintendent position, and the Town Board wishes to reinstate this position for the Highway/Recycle Departments in 2016; and

(Resolution #161 con't)

WHEREAS, the Ontario County Department of Human Resources has now classified this position for the Town of Victor; now, therefore be it

RESOLVED that the Deputy Highway Superintendent position be created for the Highway/Recycle Department at a Grade 6, Step E pay level, with a salary of Thirty dollars and Sixteen cents (\$30.16)/hour and is to be funded from line DB.5110.100(summer)/DB.5142.100 (winter) General Repairs/Snow Removal Personal Services in the 2016 Operating Budget; and be it further

RESOLVED that a copy of this resolution be forwarded to Mark Years, Human Resources, Finance Department, Mary Lyng, Debra Denz, and the Ontario County Department of Human Resources.

RESOLUTION #162

ACKNOWLEDGEMENT OF THE APPOINTMENT OF RANDY RADER TO DEPUTY HIGHWAY SUPERINTENDENT POSITION FOR THE TOWN OF VICTOR HIGHWAY/RECYCLE DEPARTMENT

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 Town Board has allocated funds in the 2016 Operating Budget for the Deputy Highway Superintendent position; and

WHEREAS, Highway Superintendent Mark Years wishes to appoint Randy Rader to the position of Deputy Highway Superintendent for 2016; and

WHEREAS, the Ontario County Department of Human Resources has now classified this position for the Town of Victor; now, therefore be it

RESOLVED that Randy Rader be appointed to the Deputy Highway Superintendent position for the Highway/Recycle Department, effective April 12, 2016, at a Grade 6, Step E pay level, with a salary of Thirty dollars and Sixteen cents (\$30.16)/hour to be funded from line DB.5110.100 (summer)/DB.5142.100 (winter) General Repairs/Snow Removal Personal Services in the 2016 Operating Budget; and be it further

RESOLVED that a copy of this resolution be forwarded to Mark Years, Randy Rader, Human Resources, Finance Department, Mary Lyng, Debra Denz, and the Ontario County Department of Human Resources.

RESOLUTION #163

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE NATIONAL SAFETY COUNCIL FOR THE TOWN OF VICTOR TO BECOME A PRIVATE DEFENSIVE DRIVING TRAINING CENTER

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 of Victor is a member of the National Safety Council; and

WHEREAS, the National Safety Council provides training and certification to entities who wish to become Private Designated Driver Training Centers; and

WHEREAS, the Town of Victor requires all employees who are required to drive Town vehicles to take a certified Defensive Driving Course every three (3) years, which, in previous years, has amounted to a cost of approximately One Thousand One Hundred dollars (\$1,100.00) every three years, and

WHEREAS, Sheldon Hopkins and Roxann Ammerman have been identified to take the National Safety Council Defensive Driving Instructor Course, to be held at the Victor Town Hall by June 30, 2016, at a cost of Seven Hundred Ten dollars (\$710.00) to be funded from the 2016 Budget Line Item # A.3620.400 Safety Committee Contractual; and

(Resolution #163 con't)

WHEREAS, Sheldon Hopkins and Roxann Ammerman will become the Defensive Driving Instructors for all Town of Victor employees who are required to take the Defensive Driving Course; now, therefore be it

RESOLVED that the Town of Victor is authorized to enter into an agreement with the National Safety Council to become a Private Defensive Driving Center; and be it further

RESOLVED that Sheldon Hopkins and Roxann Ammerman will become the Defensive Driving Instructors for the Town of Victor, and will take part in the Defensive Driving Instructor Training Class conducted by the National Safety Council and to be held at the Victor Town Hall in May, 2016 at a cost of Seven Hundred Ten dollars (\$710.00), said funds are available in the 2016 Budget Line Item # A.3620.400 Safety Committee Contractual; and be it further

RESOLVED that a copy of this resolution be sent to the National Safety Council, Highway Superintendent, Town Clerk, and Human Resources.

RESOLUTION #164

AUTHORIZATION FOR SUPERVISOR TO ENTER INTO A CONTRACT WITH NABERHOOD RESTORATIONS FOR THE MASONRY RESTORATION OF THE ABANDONED COBBLESTONE PUMP HOUSE

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

WHEREAS, pursuant to New York's Town Law, including Section 64(6) and Section 20(2), the Town Board has the power to approve contracts for Town services, prior to the execution of such contracts by the Town Supervisor; and

WHEREAS, pursuant to General Municipal Law 103-b and the Town's Procurement Policy, the Town Board may direct a policy for the acquisition of the Town's professional services; and

WHEREAS, the Abandoned Cobblestone Pump House, located at the corner of School Street and Rawson Road in Victor, NY is in need of repair and historic restoration; and

WHEREAS, Naberhood Restorations has been identified by the Town Historian, Babette Huber, as a specialized contractor who can provide the needed exterior cobblestone restoration to this building; and

WHEREAS, a quote has been received from Naberhood Restorations for this work in the amount of Seventeen Thousand Seventy Five dollars (\$17,075.00); and

WHEREAS, due to the specialized nature of the restoration and repair of this building, Naberhood Restorations is the only local contractor who can provide these services; and

WHEREAS, the Town Historian has received a Ten Thousand dollars (\$10,000.00) grant from the Historic Preservation and Parkland Improvements Grant New York State and Municipal Facilities Program (Project #7194) for this restoration project; now, therefore be it

RESOLVED, that the Town Board hereby authorizes the Supervisor to enter into a contract with Naberhood Restorations for the masonry restoration work for the Abandoned Cobblestone Pump House at a cost not to exceed Seventeen Thousand Seventy Five dollars (\$17,075.00), to be funded from the 2016 Budget line items A.7510.400 – Historian Contractual, CB.7550.400 – Historian Bicentennial Five Start Account, and Ten Thousand dollars (\$10,000.00) from the Historic Preservation and Parkland Improvements Grant New York State and Municipal Facilities Program (Project #7194); and further be it

RESOLVED that a copy of this Resolution be forwarded to Naberhood Restorations, Babette Huber, the Finance Department, Town Clerk, and the Human Resources Department.

RESOLUTION #165

AUTHORIZATION FOR SUPERVISOR TO ENTER INTO PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH CGR FOR THE PUBLIC SAFETY/EMERGENCY SERVICES STUDY FOR THE TOWN OF VICTOR

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

WHEREAS, pursuant to New York's Town Law, including Section 64(6) and Section 20(2), the Town Board has the power to approve contracts for Town services prior to the execution of such contracts by the Town Supervisor; and

WHEREAS, pursuant to General Municipal Law 104-b and the Town's Procurement Policy, the Town Board may direct a policy for the acquisition of the Town's professional services; and

WHEREAS, Requests for Proposals (RFP's) for consultant services for the Public Safety/Emergency Services Study were received on January 29, 2016, and were evaluated with respect to services provided and cost to the Town as follows:

Company	Cost
Resource Management Associates – Tinley Park, IL	\$110/hour plus travel and expenses
Matrix Consulting Group – Queensbury, NY	\$45,000 – including travel expenses
MRB Group – Rochester, NY	\$140/hour
Walker Public Safety Consulting – Wappinger Falls, NY	\$151,531.00
CGR – Rochester, NY	\$45,000 – all inclusive

And,

WHEREAS, the Public Safety/Emergency Services Committee met on March 3, 2016 to review the submitted proposals, and also met on April 8, 2016 to hear presentations from the two finalists; and

WHEREAS the Public Safety/Emergency Services Committee recommends that CGR be hired as the Public Safety/Emergency Services Study consultant, effective from April 12, 2016 through December 31, 2016, at a cost not to exceed Forty Five Thousand dollars (\$45,000.00) with Twenty Four Thousand dollars (\$24,000.00) to be paid from the Local Government Efficiency Grant for the Public Safety/Emergency Services study, and Twenty One Thousand dollars (\$21,000.00) to be paid from the 2016 Town Budget Line Item #A.3010.400 – Public Safety Administration - Contractual; now, therefore be it

RESOLVED that the Town Board hereby authorizes the Supervisor to enter into a contract with CGR for a limited term from April 12, 2016 through December 31, 2016 under the terms and conditions as provided in the 2016 contract identified as "Schedule A", at a cost not to exceed Forty Five Thousand dollars (\$45,000.00) with Twenty Four Thousand dollars (\$24,000.00) to be paid from the Local Government Efficiency Grant for the Public Safety/Emergency Services study, and Twenty One Thousand dollars (\$21,000.00) to be paid from the 2016 Town Budget Line Item #A.3010.400 – Public Safety Administration – Contractual; and be it further

RESOLVED that a copy of this Resolution be forwarded to Paul Bishop – CGR, the Finance Department, Town Clerk, and the Human Resources Department.

RESOLUTION #166

AUTHORIZATION FOR THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH CHURCHVILLE FIRE EQUIPMENT FOR FIRE EXTINGUISHER INSPECTIONS

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

(Resolution #166 con't)

WHEREAS, the Town Hall, Highway Dept., Recycle Center, Parks Maintenance, Town Courts, and Parks & Recreation Dept. have the need to have all of the fire extinguishers in all Town-owned buildings inspected on an annual basis; and

WHEREAS, Churchville Fire Equipment of Churchville, NY, has submitted a proposal to the Town Clerk to conduct these inspections; and

WHEREAS, the Town Clerk recommends that the fire extinguisher inspection contract be awarded to Churchville Fire Equipment, in an amount not to exceed Eight Hundred Twenty Five dollars (\$825.00) for a 1-year period, effective from April 11, 2016 to April 11, 2017; and

WHEREAS, the expense of the Service Contract for the fire extinguisher inspection service is funded in the appropriate 2016 Budget Lines; now, therefore, be it

RESOLVED, that the Supervisor be authorized to enter into contract with Churchville Fire Equipment in an amount not to exceed Eight Hundred Twenty Five dollars (\$825.00), with the funding as follows, based on the number of fire extinguishers located in each building:

Town Hall	A.1620.400 Buildings Contractual
Highway Dept.	A.5132.400 Highway Garage Contractual
Recycle Center	A.8160.400 Refuse & Recycle Contractual
Parks & Recreation	A.7021.400 Parks & Rec. Dept. Contractual
Parks Rawson Road Garage	A.7110.400 Parks Contractual
Town Courts	A.1110.400 Justice Contractual

said funds are available in the 2016 Budget Lines; and further

RESOLVED that a copy of this resolution be forwarded to the Finance Dept, Mark Years, Highway Superintendent; Debra J Denz, Town Clerk; Brian Emelson, Parks & Recreation Director; Terri Bolt, Town Courts; and David VerSteeg, Churchville Fire Equipment.

RESOLUTION #167

AUTHORIZATION FOR THE SUPERVISOR TO ENTER INTO AN AGREEMENT WITH SIMPLEX GRINNELL FOR TOWN HALL FIRE ALARM INSPECTION 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, the Town Hall has the need to have inspections of the fire alarm system; and

WHEREAS, Simplex Grinnell has been providing this service to the Town and has submitted a proposal to the Town Clerk to conduct these inspections in 2016-2017; and

WHEREAS, the Town Clerk recommends that the fire system inspection contract be awarded to Simplex Grinnell, in an amount not to exceed Three Thousand Four Hundred Eighty One dollars (\$3481.00) for a 1 (one) year period, effective from May 1, 2016 to April 30, 2017; and

WHEREAS, the expense of the Service Contract for the fire system inspection service is funded in the 2016 Budget Line Item A.1620.400 – Buildings Contractual; now, therefore, be it

RESOLVED, that the Supervisor be authorized to enter into contract with Simplex Grinnell, in an amount not to exceed Three Thousand Four Hundred Eighty One dollars (\$3481.00) for a 1 (one) year period, effective from May 1, 2016 to April 30, 2017, said funds are available in the 2016 Budget Line Item A.1620.400 – Buildings Contractual; and further

(Resolution #167 con't)

RESOLVED that a copy of this resolution be forwarded to the Finance Dept, Town Clerk, and Simplex Grinnell.

RESOLUTION #168

AUTHORIZE THE TOWN SUPERVISOR TO EXECUTE AN INTERMUNICIPAL AGREEMENT BETWEEN THE VILLAGE OF VICTOR AND THE TOWN OF VICTOR FOR CODE ENFORCEMENT AND INSPECTION SERVICES

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 Village of Victor and the Town of Victor desire to enter into an Intermunicipal Agreement between the Village of Victor and the Town of Victor for Code Enforcement and Inspection Services ("Intermunicipal Agreement") dated April 1, 2016; and

WHEREAS, the Town agrees to provide Code Enforcement Officer, Building Inspector, and Fire Marshall services to the Village in exchange for payment to be received from the Village, as provided for under the terms of the Intermunicipal Agreement; and

WHEREAS, it is in the mutual best interests of the Village and Town to enter into the Intermunicipal Agreement for the effective management of services provided for under the Intermunicipal Agreement; and

WHEREAS, the Village Board of Trustees passed a resolution on March 21, 2016, to authorize the Village Mayor to execute said agreement; now therefore be it

RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute the Intermunicipal Agreement between the Village of Victor and the Town of Victor for Code Enforcement and Inspection Services dated April 1, 2016; and be it further

RESOLVED, that a copy of this resolution be forwarded to the Town Clerk, and the Village Clerk together with an original of the fully executed Intermunicipal Agreement.

RESOLUTION #169

GENERAL RESOLUTION FOR THE PURPOSE OF PARTICIPATING IN A COOPERATIVE BID COORDINATED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF ONTARIO, SENECA, WAYNE AND YATES COUNTIES FOR COOPERATIVE NATURAL GAS BID FOR THE PERIOD OF 10/01/2016 – 09/30/2017

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 Town of Victor of New York State desires to participate in a Cooperative Bidding Program conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties from year to year or, until this Resolution is rescinded, for the purchase for supply of natural gas; and

WHEREAS, the Town of Victor of New York State is desirous of participating with The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties in the joint bid of the commodities and/or services mentioned below as authorized by General Municipal Law, Section 119-o; and

WHEREAS, the Town of Victor of New York State has appointed The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties as representative to assume the responsibility for drafting of specifications, advertising for bids, accepting and opening bids, tabulating bids, reporting the results to the Fiscal Manger for the Town of Victor of New York State and making recommendations thereon; now, therefore, be it
(Resolution #169 con't)

RESOLVED, that the Town of Victor of New York State and The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties hereby accepts the appointment of The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters related above; and further

RESOLVED, that the Town of Victor of New York State authorizes the above-mentioned Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties to represent it in all matters regarding the entering into contract for the purchase of the below-mentioned commodities and/or services; and further

RESOLVED, that the Town of Victor of New York State agrees to assume its equitable share of the costs incurred as a result of the cooperative bidding; and further

RESOLVED, that the Victor Town Supervisor on behalf of the Town of Victor of New York State hereby is authorized to participate in cooperative bidding conducted by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties for supply of natural gas and if requested to furnish The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties an estimated minimum number of units that will be purchased by The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties. The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties is hereby authorized to award cooperative bids to the bidder deemed to be the lowest responsive and responsible meeting the bid specifications and otherwise complying with Article 5-A of the General Municipal Law of the State of New York relating to public bids and contracts; and further

RESOLVED, that a copy of this resolution be forwarded to Debra Denz, Town Clerk; Gloria Dunton, Fiscal Manager; and The Board of Cooperative Educational Services of Ontario, Seneca, Wayne and Yates Counties.

RESOLUTION #170

DECLARING THE VICTOR TOWN BOARD'S INTENT TO SERVE AS LEAD AGENCY FOR SEQR WITH REGARD TO AN APPLICATION TO AMEND THE EASTVIEW COMMONS PLANNED DEVELOPMENT DISTRICT AND REFERRAL OF THE APPLICATION

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

WHEREAS, on or about March 3, 2016, the Victor Town Clerk received an application (the "Application") from Mitchell Construction Contractors, Inc., on behalf of Victor Self Storage East, LLC, seeking to amend the Eastview Commons Planned Development District (the "PDD"), in order to redevelop property at 7607 Commons Blvd. at Tax Map #6.00-1-3.100 (the "Property"); and

WHEREAS, the applicant seeks to amend the PDD to generally allow the transition of the Property (previously the site of an asphalt plant) to a self-storage business as well as to the home of Mitchell Design Build; and

WHEREAS, after review by the Town Attorney and Town Engineer and after advisement by the same, the Victor Town Board has determined that the Application is complete; and

WHEREAS, the instant application to modify and amend the PDD requires both a rezoning application as well as a site plan application (collectively referred to herein as the "Action"), both of which will be subject to a full and complete environmental review pursuant SEQR; and

WHEREAS, the Action has been preliminary classified as an unlisted action pursuant to SEQR; now therefore, be it

(Resolution #170 con't)

RESOLVED, that, in accordance with SEQR, the Town Board of the Town of Victor hereby declares its intent to serve as Lead Agency to conduct an environmental review of the Action; and be it further

RESOLVED, that the Supervisor of the Town be and each hereby is authorized to execute the lead agency request which shall include an EAF; and be it further

RESOLVED, that the Town Supervisor shall cause the lead agency request and EAF to be filed and circulated with the involved agencies designated in the request, copies of which documents are attached hereto, thereby notifying the involved agencies of the Town Board's intent to serve as lead agency; and be it further

RESOLVED, that in absence of objections to the Town Board's intent to serve as lead agency within the thirty day period following notification, the Town Board of the Town of Victor shall proceed to assume lead agency status with respect to the rezoning portion of the Action; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution, its attachments and the Application, to the Town of Victor Planning Board, pursuant to the Victor Town Code, and the Ontario County Planning Board, pursuant to New York State Law.

RESOLUTION #171

ORDER FOR PUBLIC HEARING TO ESTABLISH THE TOWN OF VICTOR DRAINAGE IMPROVEMENT AREA

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 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

WHEREAS, the work product of the Drainage Committee includes a Map, Plan and Report (the "MPR") for the establishment of the Town of Victor Drainage Improvement Area (the "DIA") pursuant to Town Law Article 12-C; and

WHEREAS, said MPR has been prepared by the Town Engineer and has been filed with the Victor Town Clerk where it is available for review and inspection by the public; and

WHEREAS, the boundaries of the Victor DIA includes various areas throughout the Town of Victor as more specifically set forth in the map which is part of the MPR, and which map is available for review and inspection by the public at the Office of the Victor Town Clerk; and

WHEREAS, no improvements are proposed to be constructed, as the DIA will incorporate existing improvements which have already been implemented, many of which have been a part of a previous Town of Victor drainage district or drainage improvement area; and

WHEREAS, existing improvements which will be included within the DIA include ponds, outlet structures, closed drainage systems, swales, etc. that are within the areas included on the DIA map, which improvements largely comprise existing drainage measures that have been previously approved as part of the subdivision review process by the Victor Planning Board; and

(Resolution #171 con't)

WHEREAS, the maximum amount proposed to be expended by the Town for the Victor for the Victor Drainage Improvement Area and associated improvements is the sum of zero dollars (\$0.00), as the improvements are already existing; and

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

WHEREAS, management, maintenance, operation and repair shall be a charge upon the area of the Town outside of the Village and will be levied and collected in the same manner and at the same time as other Town charges, as part of the Town tax; now, therefore, be it

ORDERED and RESOLVED, that, pursuant to Article 12-C 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 9th day of May, 2016, at 7:30 p.m. for the purpose of conducting a public hearing on the proposal to create the Town of Victor Drainage Improvement Area, at which time and place all persons interested in the subject 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 #172

AUTHORIZATION AFTER PUBLIC HEARING FOR THE ESTABLISHMENT OF THE "COUNTY ROAD 9 WATER DISTRICT" AND CONSOLIDATION OF THE SAME INTO THE VICTOR CENTRAL WATER DISTRICT

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 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

(Resolution #172 con't)

WHEREAS, after the said MPR was duly filed in the Office of the Victor Town Clerk (where it was then and is currently available for public inspection), the Town Board did duly adopt an Order and Resolution (the "Order") reciting the proposed establishment of the County Road 9 Water District and a description of the boundaries of the proposed County Road 9 Water District, the maximum amount proposed to be expended for the improvement, that amount being zero dollars (\$0.00), the proposed method of apportioning the cost of such improvement, and the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's Office for public inspection, and specifying that the Town Board shall meet at the Town Hall, 85 East Main Street, Victor, New York, on the 11th day of April, 2016, for the purposes of conducting a public hearing on the County Road 9 Water District establishment and consolidation, and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, the Order additionally specified that the County Road 9 Water District, simultaneous with the establishment thereof, is to be consolidated into the Victor Central Water District, and said Order set forth a descriptive summary of the Proposed Joint Consolidation Agreement for the Town of Victor Central Water District and the County Road 9 Water District (the "Agreement"), as well as the costs to typical properties, including fees; and

WHEREAS, copies of said Order were duly published and posted according to law, and said Town Board did, at the time and place specified in said Order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same; and

WHEREAS, the evidence offered at such time and place requires that the Town Board make the determinations hereinafter made, now therefore be it

RESOLVED, that the Order for the notice of the public hearing was duly published and posted as required by law and is otherwise sufficient; and be it further

RESOLVED, that all property and property owners within the proposed County Road 9 Water District are benefitted; and be it further

RESOLVED, that all property and property owners benefitted by the County Road 9 Water District are included within the limits thereof; and be it further

RESOLVED, by the Town Board of the Town of Victor, in the County of Ontario, that it is in the public interest of the Town of Victor to authorize the establishment of the County Road 9 Water District and the simultaneous consolidation thereof into the Victor Central Water District; and be it further

RESOLVED, that the Town Board does hereby approve and authorize the establishment of the County Road 9 Water District as well as the simultaneous consolidation thereof into the Town of Victor Central Water District pursuant to the Agreement, said Agreement now and hereby adopted by the Town Board as the Final Consolidation Agreement for the Town of Victor Central Water District and the County Road 9 Water District; and be it further

RESOLVED, that the capital costs charged to the properties within the Victor Central Water District, as consolidated with the County Road 9 Water District, will be in accordance with the formula established by the Town Board, and this action will not significantly change the costs for residential or commercial properties; and be it further

RESOLVED, that maintenance and operation charges will be calculated and charged as more specifically set forth by the Monroe County Water Authority; and be it further

(Resolution #172 con't)

RESOLVED, that inasmuch as no expenditure of funds for capital costs is authorized herein, and because the Town will not expend any monies for the establishment indicated herein, this Resolution is not subject to the review and/or approval of the State Comptroller of the State of New York; and be it further

RESOLVED, that this constitutes a Type II action under the State Environmental Quality Review Act and is thus not subject to review under the same; and be it further

RESOLVED, that the Town Clerk of the Town of Victor shall cause a certified copy of this Resolution to be duly filed with the New York State Comptroller; and be it further

RESOLVED, that the Town Clerk publish and post a Notice of Permissive Referendum within 10 days of adoption of this resolution in accordance with Town Law; and be it further

RESOLVED, that the Town Clerk of the Town of Victor shall cause a certified copy of this Resolution to be duly recorded in the Office of the Clerk of Ontario County within ten (10) days of the adoption of this Resolution.

PUBLIC COMMENT

Supervisor Marren requested public comment on any subject.

Neil Stein, 1722 Strong Rd., regarding scheduled joint Town Board and Village Board meeting for annexation of Town property to the Village, concerned that it is orchestrated by the developer to get more favorable terms for their proposed development.

On motion of Councilman Crowley, seconded by Councilman Guinan, the meeting was adjourned at 8:45 PM.

Respectfully submitted, _____ Debra J. Denz, Town Clerk